JOURNAL

OF

THE SENATE

OF THE

STATE OF ALABAMA,

SESSION OF 1896-7.

HELD IN THE CITY OF MONTGOMERY,

COMMENCING TUESDAY, NOVEMBER 10, 1896.

WITH AN INDEX,

Prepared by the Secretary of the Senate.

MONTGOMERY, ALA.:
ROEMER PRINTING COMPANY, STATE PRINTERS AND BINDERS,
1897.

JOURNAL

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THE SENATE

—OF—

ALABAMA.

SESSION OF 1896-7.

FIRST DAY.

STATE CAPITOL OF ALABAMA,
MONTGOMERY, TUESDAY, NOVEMBER 10TH, 1896.

This being the Tuesday after the second Monday in November, A. D. 1896, and the day fixed by law for the bi-ennial meeting of the general assembly of the State of Alabama, the senate assembled in the senate chamber at 12 o'clock m., and was called to order by Hon. Francis L. Pettus, president of the senate.

Prayer by the Rev. Mr. Robinson.

Mr. William L. Clay, secretary of the senate, was present and acted as secretary, according to law.

ROLL CALL.

The roll of the senate being called, the following senators answered to their names:

FROM THE DISTRICT COMPOSED OF THE COUNTIES OF—

1st. Lauderdale and Limestone—B. M. Sowell.
2d. Lawrence and Morgan—David W. Day.
3d. Winston, Blount and Cullman—Wm. G. Brown.
4th. Madison—Oscar R. Hundley.
5th. Jackson and Marshall—George J. Hall.
6th. St. Clair and Etowah—J. S. E. Robinson.
7th. Calhoun and Cleburne—John W. Abercrombie.
8th. Talladega and Clay—H. L. McElderry.
9th. Randolph and Chambers—T. J. Thomason.
10th. Tallapoosa and Coosa—R. S. Nolen.
11th. Tuscaloosa—Frank S. Moody.
12th. Lamar, Fayette and Walker—J. S. Hollis.
13th. Jefferson—R. M. Cunningham.
14th. Pickens and Sumter—John A. Rogers.
15th. Chilton, Shelby and Elmore—G. B. Deans.
16th. Autauga and Lowndes—Willis Brewer.
17th. Butler, Conecuh and Covington—A. W. Deens.
18th. Perry and Bibb—W. F. Hogue.
19th. Clarke, Choctaw and Washington—Isaac Grant.
20th. Marengo—Mims Walker.
21st. Monroe, Escambia and Baldwin—C. S. Lee.
22d. Wilcox—John Y. Kilpatrick.
23d. Henry, Dale and Geneva—G. W. Brooks.
24th. Barbour—Hiram Hawkins.
25th. Pike, Covington and Crenshaw—George N. Buchanan.
26th. Macon and Bullock—D. S. Bethune.
27th. Lee and Russell—W. J. Boykin.
28th. Montgomery—A. D. Sayre.
29th. DeKalb and Cherokee—D. C. Case.
30th. Dallas—Francis L. Pettus.
31st. Colbert, Franklin and Marion—W. H. Matthews.
32d. Greene and Hale—Wm. M. Browder.
33d. Mobile—Thos. H. Smith.

OATH OF OFFICE.

At the request of the president the senators newly

elected came forward and the president administered to them the oath of office prescribed by the constitution of the State, their names being as follows, to-wit:

Messrs. John W. Abercrombie, D. S. Bethune, W. J. Boykin, G. W. Brooks, Wm. G. Brown, Geo. N. Buchanan, D. C. Case, R. M. Cunningham, G. B. Deans, A. W. Deens, Isaac Grant, Geo. J. Hall, C. S. Lee, W. H. Matthews, Frank S. Moody, Thomas H. Smith, Ben M. Sowell, T. J. Thomason.

ADJOURNMENT.

On motion of Mr. Brewer, at 12:15 p. m. the senate adjourned until ten o'clock to-morrow morning.

SECOND DAY.

Wednesday, November 11th, 1896.

The Senate met pursuant to adjournment.

Prayer by Rev. J. C. Ott, of Lauderdale county.

Present:

Messrs. President, Abercrombie, Bethune, Boykin, Brewer, Brooks, Browder, Brown, Buchanan, Case, Cunningham, Deans of Shelby, Deens of Covington, Grant, Hall, Hawkins, Hogue, Hollis, Kilpatrick, Lee, Matthews, McElderry, Moody, Nolen, Robinson, Rogers, Sayre, Smith, Sowell, Thomason, Walker—31.

ELECTION OF PERMANENT OFFICERS.

The president announced that the first business in order was the election of permanent officers of the Senate.

ELECTION OF PRESIDENT.

Mr. Pettus, Mr. Cunningham presiding, placed in nomination for president of the Senate Hon. A. D. Sayre of Montgomery.

Mr. Hollis placed in nomination Hon. G. B. Deans of Shelby.

Those who voted for Mr. Sayre are:

Messrs. President, Abercrombie, Bethune, Boykin, Brewer, Browder, Brown, Cunningham, Grant, Hawkins, Hogue, Kilpatrick, Lee, Matthews, McEldery, Moody, Smith, Sowell, Thomason, Walker—20.

Those who voted for Mr. Deans are:

Messrs. Brooks, Buchanan, Case, Deans of Covington, Hall, Hollis, Nolen, Robinson—8.

Mr. Sayre having received a majority of the entire vote cast, was declared duly elected president of the Senate, for the term prescribed by law.

On motion of Mr. Browder, the president appointed a committee of three, consisting of Messrs. Browder, Hollis and Hawkins, to notify Mr. Sayre of his election and conduct him to the chair.

The committee conducted Mr. Sayre to the chair, and he was introduced to the Senate by the president.

Mr. Sayre thanked the Senate in dignified and appropriate terms.

The oath of office was then administered to him by the retiring president of the Senate.

The president announced that the next business in orer was the election of a permanent secretary, assistant secretary, enrolling and engrossing clerk, doorkeeper, and an assistant doorkeeper.

ELECTION OF SECRETARY.

Mr. Hogue placed in nomination for secretary of the Senate John F. Proctor of Jackson.

Mr. Hall placed in nomination H. R. Robbins of Coosa.

Those who voted for Mr. Proctor are:

Messrs. President, Abercrombie, Bethune, Boykin, Brewer, Brooks, Browder, Brown, Cunningham, Grant, Hawkins, Hogue, Hundley, Kilpatrick, Lee, Matthews, McElderry, Moody, Smith, Sowell, Thomason, Walker —22.

Those who voted for Mr. Robbins are:

Messrs. Buchanan, Case, Deans of Shelby, Deens of Covington, Hall, Hollis, Nolen, Robinson—8.

Mr. Proctor having received a majority of the votes cast, was declared duly elected secretary of the Senate, for the time prescribed by law.

ELECTION OF ASSISTANT SECRETARY.

Mr. Abercrombie placed in nomination Elmore Garrett of Calhoun for assistant secretary of the Senate.

Mr. Nolen placed in nomination David Joiner of Jackson.

Those who voted for Mr. Garrett are:

Messrs. President, Abercrombie, Bethune, Boykin, Brewer, Browder, Brown, Buchanan, Cunningham, Grant, Hawkins, Hogue, Kilpatrick, Lee, Matthews, McElderry, Moody, Smith, Sowell, Thomason, Walker —20.

Those who voted for Mr. Joiner vre:

Messrs. Brooks, Case, Deans of Shelby, Deens of Covington, Hall, Hollis, Hundley, Nolen, Robinson—9.

Mr. Garrett having received a majority of all the votes cast, was declared duly elected assistant secretary of the Senate for the time prescribed by law.

ELECTION ENROLLING AND ENGROSSING CLERK.

Mr. Browder nominated for enrolling and engrossing clerk of the Senate Mrs. Mary V. Gesner of Montgomery.

Those who voted for Mrs. Gesner are:

Messrs. President, Abercrombie, Bethune, Boykin, Brewer, Browder, Brown, Buchanan, Cunningham, Grant, Hawkins, Hogue, Kilpatrick, Matthews, McEldery, Moody, Nolen, Robinson, Smith, Sowell, Thomason, Walker—21.

Mrs. Gesner having received a majority of the entire vote cast, was declared duly elected enrolling and engrossing clerk of the Senate for the time prescribed by law.

ELECTION OF DOORKEEPER.

Mr. McElderry nominated W. B. Kemp or Monroe for doorkeeper of the Senate.

Those who voted for Mr. Kemp are:

Messrs. President, Abercrombie, Bethune, Boykin, Brewer, Brooks, Browder, Brown, Buchanan, Cunningham, Deans of Shelby, Deens of Covington, Grant, Hawkins, Hogue, Hollis, Hundley, Kilpatrick, Lee, Matthews, McEldery, Moody, Nolen, Robinson, Smith, Sowell, Thomason, Walker—28.

Mr Kemp, having received a majority of the whole vote cast, was declared duly elected doorkeeper of the senate for the time prescribed by law.

ELECTION OF ASSISTANT DOORKEEPER.

Mr. Hogue nominated C. C. Watters, of Perry county, for assistant doorkeeper of the senate.

Those who voted for Mr. Watters, are:

Messrs. President, Abercrombie, Bethune, Boykin, Brewer, Brooks, Browder, Brown, Buchanan, Case, Cunningham, Deens of Covington, Grant, Hall, Hawkins, Hogue, Hollis, Hundley, Kilpatrick, Lee, Matthews, McElderry, Moody, Nolen, Robinson, Smith, Thomason and Walker—29.

Mr. Watters having received a majority of the whole vote cast, was declared duly elected assistant-doorkeeper of the senate for the time prescribed by law.

OATH OF OFFICE.

The oath of office was then administered by the president to the several officers just elected.

On motion of Mr. Abercrombie, the secretary was instructed to inform the house that the senate had per-

fected a permanent organization and elected permanent officers.

RULES.

On motion of Mr. Walker the rules of the last senate were adopted for the government of the senate, until new rules are adopted.

COMMITTEE ON RULES.

On motion of Mr. Pettus, the chair was authorized to appoint a committee of five, of which the president should be chairman, to report rules for the senate.

The chair announced as the committee on rules Messrs. President, Pettus, Brewer, Kilpatrick and Hogue.

JOINT RESOLUTION.

Mr, Abercrombie offered a joint resolution, raising a joint committee consisting of two on part of the senate and two on the part of the house, to wait on the Governor and inform him of the permanent organization of the general assembly.

Adopted.

The chair announced as as the committee on the part of the senate Messrs. Abercrombie and Walker.

CALL OF THE DISTRICTS.

Bills were introduced, read a first time and referred to appropriate committees as follows:

By Mr. Brown—

s. 1. To incorporate the town of Joppa in the county of Cullman and State of Alabama,

Municipal and County organizations;

Also,

s. 2. To establish a separate school district to be

known as the Flatrock district in Winston and Cullman counties,

Education;

Also,

s. 3. To regulate the trial of misdemeanors in the county of Marshall,

Judiciary;

Also,

s. 4. To localize the registration of deeds of conveyance which have been filed and recorded in the office of the judge of probate of the proper county in this State before the passage of this act, but not within the time required by law, and of those which may be so filed and recorded within twelve months from the passage of this act,

Judiciary;

Also,

s. 5. To prohibit the granting of free passes, or giving free passes or selling tickets or passes at a discount, other than as sold to the public generally, by railroad and other transportation companies, their agents, servants or employees, to any member of the general assembly, or to any person holding office under this State or the United States,

Commerce and Common Carriers;

Also,

s. 6. To exempt ministers of the Gospel in active service as pastors of churches or employed as evangelists from road duty,

Judiciary;

By Mr Abercrombie—

s. 7. To regulate the holding of primary elections for the selection of delegates to political conventions and the nomination of candidates for any office to be filled by election,

Privileges and Election;

Also,

s. 8. To establish a uniform series of text books for the public schools of the State and to prescribe the mode of selecting the same,

Education;

By Mr. McElderry—

s. 9. To fix the time of holding the circuit courts in the several counties comprising the seventh judicial circuit,

Judiciary;

Also,

s. 10. To repeal an act entitled an act, to amend an act to establish a city court for the county of Talladega, approved February 18th, 1895, and to provide for the disposition of all causes pending in said court for the issuance of process on judgments and decrees in said court, for the issuance of process on indictments in said court, and for the transfer of all dockets, papers and books relating to cases in said court, to the circuit and chancery courts of Talladega county, respectively, and to provide for signing of bills of exceptions, and appeals to the supreme court from judgments and decrees rendered by said court,

Judiciary;

By Mr. Hogue—

s. 11. To incorporate the Grand Lodge of Knights of Pythias of Alabama,

Corporations;

By Mr. Case—

s. 12. To fix the compensation for recording, registration and copying in the office of judge of probate of DeKalb county,

Local Legislation;

By Mr. Smith—

s. 13. To amend section 2933 of the Code of Alabama,

Judiciary.

RESOLUTIONS.

Mr. Hundley offered a joint resolution as follows:

Whereas, the question of "the free and unlimited coinage of silver at the ratio of sixteen to one independently of other nations" has been submitted to the American people for their decision,

And, whereas, they have passed their judgment upon said question adversely thereto by not only a majority of

the electoral college, but also by a majority of over one million of the votes of the people,

And, whereas, the great leader and champion of that question, William J, Bryan, has given forth the following utterances to-wit: "We have submitted the issue to the American people, and their will is law."

And, whereas, we believe it to be the duty of all true Americans to submit to the will of the majority of the people, in order that confidence in American institutions may be restored and peace and prosperity prevail,

Therefore, be it resolved by the Senate of Alabama, the House of Representatives concurring, That we accept the will of the American people as expressed at the ballot box, as being the law of our republic and we acquiesce therein, and deem any further effort to keep the free silver question before the people as both unwise and unpatriotic.

Which, under the rules, lies over one day.

Mr. Brown offered a joint resolution,

Providing for the appointment of a joint committee to consider the necessity, advisability and practicability of increasing the common school fund by taxation or otherwise, so as to extend the minimum length of the public schools to one hundred and twenty days.

Which, under the rules, lies over one day.

Mr. Hogue offered a resolution, which was adopted, as follows:

Resolved, That the president of the senate be authorized to appoint two pages and a messenger.

Mr. Pettus offered a resolution providing for the appointment of a door-keeper for the senate gallery,

Which was referred to the committee on rules.

On motion of Mr. Moody, the senator from Montgomery was requested to invite the clergy of the city to open the morning sessions of the senate with prayer.

MESSAGE FROM THE HOUSE.

Mr. President:

I am directed by the house to notify the senate that the house has perfected a permanent organization by the election of the following named officers:

Speaker—N. N. Clements of Tuscaloosa county.
Clerk—Massey Wilson, of Clarke.
Assistant clerk—J. C. Adams, of Dale.
Engrossing clerk—Val Taylor, of Perry.
Enrolling clerk—W. P. Howell, of Cleburne.
Doorkeeper—Robt. Hasson of Etowah.
Assistant doorkeeper—Thos. J. Fain of Dale.

And the house has concurred in the senate joint resolution, raising a joint committee of one from the senate and two from the house, to notify the governor of the permanent organization of the general assembly.

Committee on part of the house:
Browne of Talladega, Sheldon of Mobile.

MASSEY WILSON, Clerk.

RECESS.

On motion of Mr. Brewer the senate took an informal recess.

The president having called the senate to order, Mr. Abercrombie from the committee appointed to wait on the governor, reported that the governor would transmit his biennial message to the general assembly in a few minutes.

GOVERNOR'S MESSAGE.

STATE OF ALABAMA,
EXECUTIVE DEPARTMENT,
OFFICE OF THE GOVERNOR,
MONTGOMERY, Nov. 12th, 1896.

Mr. Speaker:

I am directed by the governor to communicate to the house a message in writing.

W. J. VAIDEN,
Private Secretary.

GOVERNOR'S MESSAGE.

STATE OF ALABAMA,
OFFICE OF GOVERNOR,
MONTGOMERY, November 10, 1896.

Gentlemen of the General Assembly:

You have come together and organized as the trusted

Representatives of your respective constituencies to enact laws for the regulation of society and affecting the dearest rights of reputation, person and property. Your patriotism and intelligence will unite in aiding you to faithfully and wisely discharge every duty which devolves upon you. On the 14th day of December next Alabama will have been a State for seventy-seven years, and with all of her marvelous growth and development she now looks to you as her guardians for the enactment of wise and humane laws. To the end that your general enactments may be well considered by yourselves and the Chief Executive and not rushed through in the last days of a limited session I hope that you will give them your attention as early as practicable, giving them preference over local measures.

The Constitution directs that "The Governor shall from time to time, give to the General Assembly information of the state of the government, and recommend to their consideration such measures as he may deem expedient; and at the commencement of each session of the General Assembly, and at the close of his term of his term of office, give information by written message of the condition of the State; and he shall account to the General Assembly, as may be prescribed by law, for all moneys received and paid out by him from any funds subject to his order, with the vouchers therefor and he shall at the commencement of each regular session present to the General Assembly estimates of the amount of money required to be raised by taxation for all purposes."

With these requirements I will endeavor briefly to comply.

THE BONDED DEBT.

In my second message to the last General Assembly after stating the amount of the bonded debt, and classes thereof, I used the following language, to-wit:

"There are $243,600, in the aggregate of these different classes of bonds, which may yet be issued in exchange for old ones which have not been presented for that purpose.

"Twenty years is the greatest length of time allowed to bring suit on any kind of claims. The State has already extended to holders of the old bonds eighteen and a half years to exchange for the new. I recommend that a statute of limitations be passed limiting the time within which the exchange may be made to twenty years. The bonds not presented for exchange within that time it is fair to presume have been lost, or are held by those who refuse to accept the terms of settlement given to other creditors. I desire the credit and honor of the State, at all times, to be maintained without the slightest deviation. The settlement of 1876 was made when the State's credit was broken down and completely paralyzed by reckless legislation and administration. The State was utterly unable to offer its creditors any better terms than were given. They generally recognized the fact and accepted its propositions, since which the credit of the State has been fully restored to solvency, and some of its bonds are worth a premium. All of them except the 4%'s last issued mature July 1st, 1906. The fours in 1920."

The General Assembly adopted the advice and passed the act approved Feb. 18th, 1895, declaring that all bonds exchangeable under the debt settlement act of Feb. 23rd, 1876, which were not presented to the Governor for exchange by the 1st day of July, 1896, should be forever barred.

After the said act was passed there was issued by me in exchange for old bonds, $55,200 of Class A's and $3,000 of Class C bonds; so that now the entire bonded debt of the State is as follows:

Class A's	$6,859,600.
Class B's	578,000.
Class C's	966,000.
Seay bonds	954,000.

making in the aggregate $9,357,600 as the total bonded debt of the State. This cannot be increased as the Constitution prohibits any increase beyond the bonded debt which resulted from carrying out the debt settlement. The passage of the Statute of Limitations above referred to cuts off $185,400 of bonds, which might have been exchanged in settlement, with a corresponding increase of

the total. The failure to present the old exchangable bonds also saves to the people of the State about $9,000 in interest annually.

The Class A's and Class B's bear 5 per cent. interest on and after the 1st day of July last, while the Class C's and the Seay bonds bear 4 per cent., making in the aggregate $448,680 of annual interest to be paid on our bonded debt. I recommend that an appropriation of $449,000 per annum be made for the payment of the interest on the bonded debt and expenses thereof; the said interest being payable one-half semi-annually.

AN EFFORT TO REDUCE THE INTEREST.

The last General Assembly passed an Act approved Feb. 18, 1895, "To consolidate and adjust the bonded debt of the State." The proviso to Section 2 required the Governor "just after the passage of the act" to publish in a newspaper in Montgomery a proclamation for a subscription to a popular loan in bonds of small denominations, bearing three per cent. interest, and the proceeds to be applied to the purchase of outstanding bonds. This was done, but no bid for the bonds was received.

Early in the summer of 1895 I went to New York and endeavored to sell new bonds for a sufficient premium to buy an equal amount of our outstanding bonds. But a provision in the first section of said act in these words, to-wit: "Subject to be called in for redemption at any time from and after fifteen years from the date of their issue" caused them to be quoted in the market as fifteen year bonds, and the outstanding ones having at that time eleven years to run, the difference in what the new bonds would sell for, even had they been made payable in gold, and what it would have cost to take up the old ones did not justify the undertaking. But for this provision in the statute I could have sold the new bonds for a handsome premium, above the rate at which the old ones could have been bought, and in this way have saved to the tax-payers of the State about $100,000 per annum in interest on our bonded debt, which was the sole object of the act. But it contained in its provisions the germ of its own defeat.

The honor and credit of the State must in any event, be maintained. There is no way consistent therewith to avoid the payment of about $449,000 per annum, as interest on our bonds for the next ten years, at which time they all mature except the Seay bonds. Will the State then be prepared to pay nearly eight and a half millions of dollars to extinguish the debt and stop the interest? Every one knows that it will not. It would require a surplus revenue of nearly $1,000,000 per annum to do thts. If the policy should be adopted of making any material reduction in the amount, legislation looking to that end should, *at this session*, be enacted and not wait until the emergency is at hand. To that end, if reduction of the debt should be the policy, you should at this session enact a well considered sinking fund law to gradually reduce it. In modern times, however, it is very rare that States or nations pay off their bonded debt, once it reaches up into the millions. In view of the improbability even with a sinking fund law in force, that the State will, at the maturity of the bonds, be ready to pay the whole of them, I recommend *that at this session* you pass an act providing for the refunding of our bonded debt, whatever it may be at its maturity. It is too large now and in no event should it ever exceed $10,000,000. Such an act should provide for the new bonds to bear only 3 or 3½ per cent. interest and to run not less than fifty nor more than one hundred years. I have no doubt but that such a bond could be floated at par. The value of such securities, in the markets of the world, is measured, first, by the rate of interest they bear and certainty of its payment, and secondly, by the length of time they have to run, and the longer the time the higher their value because it saves the expense of re-investment. The next consideration with the purchaser is the kind of money in which they are payable and that they are not subject to taxation. Investors in bonds are never very inquisitive as to the probable ultimate payment of the principal, if the interest be well secured and certain of prompt payment, and the bonds have a long time to run. The debt of the State, whatever it may be, if refunded into long time bonds of

one class, though the rate of interest be low, would be sought in the market for the investment of idle capital. This feature of the bond question is well worthy of your careful consideration.

A wise head takes time by the fore-lock and cautiously provides for the future, while a reckless one provides only for the exigencies of the present, is thriftless and often overthrown.

THE FINANCIAL CONDITION.

On December 1st, 1894 the State owed the New York Security and Trust Company $500,000 advanced through Gov. Jones and payable in installments of $50,000 on the first and middle of each month of January, February, March, April and May 1895, on which the interest at 6 per cent, when paid amounted to $11,572.55. The General Assembly appropriated $15,000 out of which the interest upon said temporay loan should be paid and it was so paid leaving $3,427.45 of the appropriation unexpended, which Private Secretary Vaiden, by my direction, drew out just before the end of the fiscal year and covered it back into the Treasury on October 1st, the beginning of the new fiscal year. There was at the date first named $55,000 against the State for feeding and removal of prisoners; and about $36,000 surplus of Solicitor's fees which under a decision of the Supreme Court in the case of the Auditor v. Andrews, had to be distributed among the counties, and $45,037 due to the Agricultural Bureau, aggregating a deficiency of $647,609, independent of a deficiency on account of the Convict system of $45,000. All these sums except the last named and the amount due the Agricultural Bureau were paid out of the revenues collected and intended to run the Government during the fiscal year ending Sept. 30th, 1895, and hence I found it necessary in July of that year to obtain a considerable sum to replace the money which had been used in the payment of the above named amounts. I obtained from the New York Security and Trust Company $100,000 1st of August, for which I gave my note as Governor, and $250,000 1st of October and November, transferring, or placing Treasury warrants therefor, issued in pursuance to

appropriations previously made; and $160,000 placed with the fiscal agents of the State in New York to pay the interest coupons on the State Bonds, maturing January 1st, 1896, which coupons remained in their hands until the State took them up, thus making an aggregate sum of $510,000, upon which I agreed to pay and did pay 5 per cent. interest for the actual time which the State had the use of the money and which amounted to only $7,850.73, the whole—principal and interest—being paid to the Trust Company by the 1st day of February, 1896, before the maturity of the debt, in pursuance to a right reserved to the state in the contract and by which there was saved to the State in interest between four and five thousand dollars. The money with which this temporary loan was repaid was of course taken from the revenues received up to that date and intended to aid in running the Government for the fiscal year ending Sept. 30th, 1896, and which all knew would make a deficiency in the amount of money necessary to meet the demands against the State for that fiscal year.

The $45,037 due the Agricultural Bureau above mentioned was not in the message of my immediate predecessor regarded strictly as a deficiency; and when the bill was passed by the last General Assembly, to establish an Agricultural School in each of the Congressianal Districts in which one had not been established, it was regarded by its authors as appplying only to a distribution of the funds thereafter derived from the tag tax on fertilizers, and not intended to distribute among the schools this amount which the State owed to that Bureau. I received such assurances from the legislators in favor of the bill I approved it, although I considered it of very doubtful meaning, and afterwards declined to order any money distributed to the schools from the Treasury in payment of that debt. But the Attorney-General, afterwards, gave an opinion to the Auditor upon which he thereafter drew his warrant in favor of all such schools as had been established; and under the said opinion the amount which would have gone to such schools had they been established, is still retained in the Treasury to their credit amounting to something over $21,000. I think that the law needs amendment.

In May last I went to New York and endeavored to make preliminary arrangements to obtain a loan of $300-000, or at least $250,000, which I then thought would be the least sum with which the demands against the State could be promptly met at maturity. I found that, on account of political codditions, I could not make any arrangements to obtain the money so far ahead, on the securities I had to offer.

After considerable correspondence with money-lending institutions and bankers in New York and elsewhere I found no improvement in the disposition of any of them to make a loan to the State on the terms proposed. Sometime in June last, on the suggestion of the State Treasurer, I had an interview with Gen. R. M. Nelson, of Selma, a banker, upon the subject of a loan to the State and on July 13th I executed to him my note, as Governor, for $100,000 with interest at 6 per cent. to run from the 1st day of August, the money to be placed by him in the State Treasury at the time; but none was paid into the Treasury until September and thereafter in installments at different dates, which the Treasurer can furnish.

On, or about, the 10th day of October I induced the First National Bank of Mobile, J. H. Masson, president, to cash $50,000 of the warrants drawn by the Auditor upon the Treasurer in favor of the Bryce Insane Hospital and some others of the most needy institutions whose warrants could be thus used. The bank thus rendered the State much needed assistance. The terms agreed on were 6 per cent. discount which was reserved by the bank and it to hold the warrants for four months before the State will be called on to pay them.

In the report of the Auditor he states that on October 1st, the beginning of the present fiscal year, there were matured demands against the State for about $320,000. These claims are as follows:

Amount due public schools..... $127,803
" " normal schools..... 18,250

Two of these, Tuskegee and Huntsville, aggregating $7,000 are by law made payable in advance for the entire scholastic year.

Agricultural schools and Canebreak

Experiment Station	$ 9,181
Interest on A. & M. College fund	5,070
Institutions for deaf and blind	14,022
The Bryce Insane Hospital	30,602
Soldiers and Widows Pension fund	116,000
	$ 320,928

Amount of cash in the Treasury last Monday $195,750.46

Which deducted leaves as the present deficiency ..... $ 125,177.54

To the foregoing should be added the $100,000 borrowed from Nelson's Bank which makes the total deficiency in the revenues at this time about $225,177.54.

The Auditor, page 7 of his report, estimates that the revenue received from all sources the present fiscal year will lack about $146,100, of meeting the estimated expenditures. I am satisfied that it will not exceed $150,000. With an economical administration during this and the fiscal year 1897–8, I believe that the receipts of revenue from all sources will extinguish the deficiency, meet all the disbursements required by existing law and that the State will once more be lifted above the necessity of temporary loans.

THE CONTINGENT FUND.

The appropriation for contingent expenses for each of the past two years was $6,000.

The last day of the fiscal year 1894–5, through Private Secretary Vaiden, I drew out the unexpended balance for that year, $3,605.03, and on the next day, Oct. 1st, covered it back into the Treasury. And of the contingent fund for the fiscal year 1895–6 there was unexpended on the last day of said year $3,040.00.

This amount I drew out and expended on repairs and refurnishing of the Capital and legitimate general purposes of administration about $1,500, and covered back into the Treasury the remainder.

ASSESSMENT OF TAXES.

The present rate of taxation is high enough to raise

all the revenue, and even more, that is necessary to meet the proper expenditures of the State government. The defects in our present system of assessments, which require remedial legislation are to prevent property legally subject from escaping taxation and to obtain assessments at a fair valuation. These things are of great importance and difficult of accomplishment. The want of uniformity makes the burden much heavier upon him who gives in his property at a reasonable valuation than upon him who gives in at a merely nominal valuation. It is frequently the case that the same kind and character of land, with no difference in advantage of location, when situated in different counties, and often in the same county, is valued one twice as high as the other. This sometimes occurs in the valuation of unimproved lots in towns and cities lying alongside of each other without any reason for a difference in their value. This properly creates a feeling of injustice and should be remedied as far as practicable.

The last General Assembly tried to remedy these inequalities by providing for a County Board of Equalization composed of the assessor, one member chosen by the County Commissioners and the other to be appointed by the Governor, and to act as Chairman of the Board, which Boards as a whole have not accomplished the object of their creation and is but slight, if any, improvement on the old system, under which the County Commissioners exercised the power. The new system cost the State:

For the year ending Sept. 30th, 1895.....	$1,921.50
For the year ending Sept. 30th, 1896.....	2,299.50
And one month of the present fiscal year...	153.00
Total.....	$4,374.00

which may as well be saved to the Treasury by a return to the old system.

A State Board with jurisdiction to classify the lands, regulate the rate of assessment and hear appeals from County Boards would come nearer remedying the defects in our system of assessments than any means at present accessible. Such a Board, in my opinion, would at the present tax rate, increase the receipts of the Treasury

$100,000 per annum over and above the salary and expenses of the members of the Board. Ohio and several other States of the Union have tried such an experiment and found it to work most satisfactorily.

If you will also change the method of selecting the Tax Assessor, so as to have him appointed instead of elected by popular vote, it will make quite an improvement in the assessment of the taxes in many counties; but the greatest and most satisfactory improvement in the regularity and equalization of taxes which can be obtained is through a State Board composed of competent men.

There is a great and growing demand for an increased aggregate revenue corresponding to the State's growth in population and business, but if all the taxable property of the State can be made to pay its just and equitable share of the taxes the present rate could be reduced to five mills and the State still receive largely in excess of the two million dollars now paid into the treasury by the people every year.

LOAN ASSOCIATIONS AND SOLVENT CREDITS.

The General Assembly passed an act "To regulate Building and Loan Associations" at the session of 1892–3, page of acts, 665, by which each association is required to pay an annual license fee of $200 in lieu of all taxes except office fixtures and furniture and lands owned by it. This law applies to all such associations whether organized under the laws of this State or of other States. There was published in a newspaper recently a statement of the business of a domestic association in which was shown that its assets are $1,240,498.87. Of this vast property only $52,652.33 is subject to taxation. Why should they not be made to pay taxes for their assets according to value, as actual persons are required to do? Foreign loan associations, I am informed by the Auditor, totally escape taxation within this State, and yet by their process of lending money, taking mortgages on the farms or other lands, they are gradually becoming the owners of too many farms and too much land in this country. Their mortgages are all

put to record and the same is true of the building and loan associations. There is no uniformity is the assessment and collection of taxes upon these and other solvent credits. In my first message I made the following recommendation upon this subject which I renew: "In order that none of these may escape the payment of taxes I recommend that a stamp duty—varying according to the value of the paper evidencing the debt—be imposed as the most convenient and surest method of collection; and that no evidence of debt shall be collectable in any court unless the collector's stamp has been placed thereon, and by him cancelled each tax year. This, I am persuaded, would do no injustice to any one, and would add largely to the revenue of the State." The evasion of its provisions should also be made indictable.

THE CONVICT DEPARTMENT.

On Sept. 1st, 1894, there were 1577 State convicts. From that date to Sept. 1st, 1896, there were received 1255 more, making for the two years an aggregate of 2833. During that period there were discharged by expiration of sentence, on habeas corpus, died, escaped, pardoned sent to lunatic asylum, commuted and cases reversed by the supreme court, 1123, so that on Sept. 1st, 1896, there were on hand 1710, making the average of State convicts for the two years 1670. Of these 211 are white males and three white females; 1427 are negro males and 69 negro females.

On Sept. 1st, 1894, there were 899 county convicts.
Since received from jails.....1116 " "

Making an aggregate of....2015

During the succeeding two years there were of these discharged by expiration of sentence, died and pardoned, 1270, leaving on hand Sept. 1st, 1896, 745. Of these 49 are white males, no white females; Negro males, 670, and negro females, 26. During the months of September, October and November, 1894, of the two classes, Gov. Jones pardoned an aggregate of 71, and I have

since pardoned 67 and commuted 33, an aggregate of 100, the reasons for which I will submit in a special message, as required by the Constitution.

The recommendation in the report of the Inspectors in favor of the abolition of the county convict system most fully meets my approval. It is a novelty in penal servitude which exists alone in this State. It subjects the convict in many cases to great hardships. He is sentenced for the fine, the Judge calls on the Clerk to know the amount of costs in the case and when informed, in the hurry of the court, he has no time to compare the items with the statute but proceeds to sentence the convict to labor at thirty cents per day for the full amount of the costs, not exceeding the statutory limit of ten months. There is no one else authorized by law to review the items of cost and see whether or not they are excessive or improperly charged. Several cases of this kind have been brought to my attention in appeals for their correction. This year one circuit judge came to me in person, having found that he had sentenced a county convict for 100 days more than the costs justified and requested its remission. If the system was abolished and misdemeanants, now known as county convicts, were turned over to the State for punishment and the State to pay the costs, the President of the Board of Inspectors could in that case investigate the items charged in the bill of costs just as he does in the case of felons, or State convicts. The county convicts, men and women, are indiscriminately hired out for all they will bring. The county has no further interest in them than the money it obtains for their hire. The county authorities only in very rare cases take control of them or try to reform them. Whenever leased or hired outside of the county the State Inspectors alone are looked to for the protection, the comfort and prevention of abuse to county convicts. Whenever one of them is wanted as a witness in any case the State has to pay all the expenses of transferring him with a guard to the place where he testifies, and then return him to where he is confined at hard labor, and the State has no recourse on the county for re-payment. Sometimes a county convict has thus to be transported to a court to testify two or three differ-

ent times during the period of confinement at a cost to the State perhaps of $100, when the State has no interest whatever in the proceeds of his labor. The county convict system is but one of many feeble attempts in this State to establish and maintain county sovereignty, and which should be abandoned. There is no necessity for the continuance of the system. County pride is always pardonable, but the true relations of the county to the State should never be ignored nor forgotten. The State is a sovereignty and the counties mere geographical divisions thereof for the convenience of the people. A few exceptions for educational or charitable purposes may be allowable All the laws of the State should be made as nearly uniform as possible. A State is formed upon the idea of the homogeneity of its people.

The law which requires payment of the costs on receipt of a State convict should be modified and made payable only after he has worked for the State three or six months. The State should not be made to pay for the labor of a convict before it receives any labor. It should not be made practically an insurer of the life of the convict. In the case of a county convict, in like manner should the State pay the costs, after it has had the labor of the convict for a reasonable time. And the State should never be made liable for the costs in either case when the convict is delivered sick or in such feeble condition as to be an expense instead of a benefit.

Some of the jails are frequently over-crowded and the long time which elapses between terms of the court contributes thereto. It is frequently the case that when a convict is taken from jail and delivered to one of the wardens of the penitentiary he is in a decided state of debility, and sometimes at death's door. Several months in a jail which is over-crowded, of insufficient ventilation, no healthful exercise and inferior food causes many of the inmates when delivered over as convicts to be for a time unfit for labor, and not unfrequently contributes materially to the death rate in the coal mines and penitentiaries. I have frequently had complaints made to me by prisoners in jail awaiting trial that they were cruelly treated and insufficiently fed. Some of these

complaints were doubtless exaggerated, while others perhaps were true.

In the interest of humanity and for the improvement of our system of penal servitude, I recommend that there be an additional convict inspector appointed, who shall be selected with special reference to his qualifications therefor, and shall be made an inspector of the different jails throughout the State, with authority to inquire particularly into the number, condition and treatment of the prisoners therein and direct any changes which he thinks proper; and when not thus engaged to be assignable to other duties by the order of the president of the board.

On the 1st day of December, 1894, I found that the debts against the State on account of the convict system were substantially $37,000 of cost due to the court officers, something over $8,000 due for lands purchased at Speigners, with several other small debts aggregating over $45,000, all of which was subsequently paid out of the net earnings of the convicts.

The inspectors, with my approval, adopted the most economical administration of the system consistent with the proper care and maintenance of the convicts. The policy has been pursued of enlarging the State's accommodations and providing for the profitable employment of a larger number of convicts each year, with a view to gradually reducing the number hired out in the coal mines. To this end, in the winter of 1895–6, a new penitentiary was erected at the artesian well on the Montgomery side of the Coosa river, some nine miles north of the city, where the State owns a tract of 1800 acres of land. This is known as Prison No. 4, and cost upwards of $13,000. Some 200 acres of the old land and about 400 acres of fresh land at that place have been cleared and cultivated this year in corn and also some of the leased land near Ft. Jackson, upon all of which there has been gathered, as I am informed, about 33,000 bushels.

At Speigner there has been erected a Cotton Factory, a brick building capable of running 5,000 spindles, about 3,300 of which are now being put into operation. All of the brick have been made and the building erected by convict labor. One-third of the cost of the machinery

has been paid and the other two-thirds will be by the time, or soon after they fall due, out of the net earnings of the convicts. The cost of the building, labor and machinery of the factory will not exceed $70,000 and is well worth $100,000. There have been made this year upon the three farms—at Speigner, at the Walls and No. 4—something over 500 bales of cotton and large quantities of smaller crops. Under the direction of the Inspectors and the care and supervision of the Wardens there are being raised at each of these three places large numbers of hogs, a considerable number of cattle, poultry, etc. Splendid gardens are made and vegetables furnished the convicts in great abundance. At each place the economy employed is to make it as nearly self-sustaining as possible.

I have received petitions signed extensively by owners and operatives of nearly all the other cotton mills in the State protesting against the erection of a factory to be operated by convict labor. It is impossible to employ convicts in any kind of an industry without to some extent coming into competition with free labor. If they are worked altogether upon farms they are in *competition* with farmers, who constitute the least complaining and most conservative class of our entire population. The products of a cotton factory are by no means restricted to the State but have the world for a market. In the first place the striped goods for the clothing of the convicts can be made there out of the cotton produced by them on the farms, which will be a considerable saving to the State. In the second place it will not be necessary or good policy to sell any of the additional products of the factory below the prices realized for similar goods by the cotton factories of the State owned by individuals and operated by free labor. In order to quiet any fears which may be entertained by the cotton mill men of the State it is very easy to appeal to the legislature to pass an act restricting the State officials in charge of the mill at Speigner from underselling the products of other cotton mills of a like grade within the State. I am quite confident, however, that they need not have any apprehensions that underselling will be resorted to, and hence there will be no necessity for a restrictive statute.

In pursuance to the spirit of the last legislation upon the subject, a prison for the women convicts is nearing completion in close proximity to the factory. It will not be near any of the prisons for men and be much more commodious and comfortable than the old prison at the Walls which has been used so long exclusively for the women. They, the boys and the cripples will just about supply the factory with as many hands as will be needed and with a superintendent and a few bosses they will soon learn to do the work of the factory well. Of course, this is experimental, but I believe it will be successful.

A reformatory for the punishment and training of the young criminals has not yet been established and put into operation in consequence of the lack of money with which to do it. The foundation for such a building has been laid at Speigner and the brick made for its erection near the cotton factory, but it will not be completed until the General Assembly takes action upon the subject. Section 53 of the act "To regulate the management of State and county convicts," approved Feb. 18th, 1895, clearly contemplates the erection of a reformatory, in which both State and county convicts under the age of sixteen years shall be confined, made to work and to receive moral and intellectual improvement. The said act also provides that in case a county convict be received the State shall pay the costs of the conviction not exceeding $50. This should be stricken out of the law because such an institution would probably be an expense rather than a source of profit—certainly it would not more than pay expenses and the court officers of the counties should be willing to contribute this mite towards the reformation of this class of criminals. It is evident thet futher legislation is necessary, providing for the management of such an institution as well as its location. I am of opinion that Speigner is the best place for it on account of its accessibility to all parts of the State, its proximity to the cotton factory and because it will be less expensive located there than to have it widely separated from any section of the penitentiary.

When established its inmates should be required to work at least two-thirds of each day and working them

in the cotton factory would learn them a useful trade—and the other one-third they should attend school and be compelled to study under a good teacher.

I think that a shoe factory should be started as soon as the cotton factory is fully paid for, and this should be followed by other manufacturing as soon as practicable, and Speigner's is the place for the location of all these enterprises on account of its healthfulness, accessibility and plenty of room upon the State's land, and hence I am decidedly of opinion that it is the place for the location of the reformatory. Another consideration is the cheapness of transporting coal to that place which in the course of a few years would amount to a large sum in savings to the State.

The lease contract with the Tennessee Coal, Iron and Railroad Company expires with the year 1897. The State receives from this source about $11,000 per month which cannot yet be dispensed with. I sanctioned the policy adopted by the inspectors of transferring to Speigner's and the Walls, and to hire to saw mill companies and on farms all of the convicts who are found unable to work in the Mines, or whose health would be greatly impaired by continuing them therein, and this policy should be continued and the number of convicts leased, or hired out each year, be gradually diminished as employment elsewhere can be provided for them without loss to the State. This is the only way in which the lease system can be terminated consistently with the interests of the State. That system is less objectionable than in any other State where it prevails, because our law makes an inspector follow the convict wherever he goes, on the farms, at the mills, or into the Mines and to see that he is properly fed, clothed and not misused or abused. Every month the inspectors visit the Mines and reclassify to prevent any of the convicts from being overtasked. It is this close inspection which makes our lease system the best of the kind extant. I have in person visited all the prisons, gone through them, through the hospitals and into the Mines where both State and county convicts are confined and worked and the result of my observation is that since the great death rate at Coalburg, among the the county convicts, in the

spring of 1895 was checked that they have everywhere been well treated and the death rate has so greatly diminished at all the prisons that they may be said to be in excellent condition.

The total amount of receipts of the department from all sources for the two years was.....$423,874.42
The total amount of disbursements..... 288,066.11

The net profit to the State being.....$135,808.31

So long as the convicts can be well treated and made so profitable as they have been for the past two years the people of the State need not have any apprehension of being taxed for their maintainance.

Tho report of the inspectors is submitted for your consideration and I invite you to carefully examine the same wherein you will find every detail of the business tabulated with several good suggestions for necessary legislation.

The inspectors and all the other officers connected with the system, I believe without exception, have each done his full duty. Col. R. H. Dawson, the president of the board and most experienced member of it, unfortunately for himself and the State has been so ill for five or six months of the present year that it has been impossible for him to give his personal attention to the supervision of the business. He has had many years experience in the management of convicts and knows more about it than any man in the State. While the other officers have most faithfully and intelligently given close attention to every duty we all felt the absence of the president of the board and now rejoice that he has been so far restored to health as to enable him to return to his post of duty.

PARDONS.

There are cases in which a convict should be pardoned, but as a rule the judgment of the trial court should stand. The most delicate and trying task to perform of any which come before the Governor, except perhaps that of making appointments to office in closely contested claims between worthy and well-qualified

friends, is that of passing upon a well-prepared and strongly urged application for the pardon of a convict. The power to pardon, or commute the sentence, which the law has pronounced is one which should be exercised with great caution against imposition, fraud and sympathy of friends in favor of a criminal on the one hand, and on the other, to view it with such mercy as should be exercised consistently with the State's justice, the proper reform of the criminal and the protection of society.

Sometimes when a criminal is pardoned he at once returns to the commission of crime, as though he had been thirsting and longing for an opportunity all the days and years of his confinement, while in othes cases he is completely reformed and will never be heard of as a violator of the law again. I am very glad that the latter class is much larger than the former.

I recommend that the law with reference to pardons be so amended that in every case of felony wherein a convict is pardoned, if he be at any time thereafter convicted of the commission of any other felony, or any misdemeanor bearing moral turpitude that the convict's pardon shall thereby be forfeited and he be returned to serve out the remainder of his sentence; but which should not exempt him from answering to the last offense of which he is convicted. I think the knowledge of the existence of such a law would greatly aid in restraining any who had been pardoned against the temptation which might come before them to violate the law again. There is no doubt about the power of the general assembly to direct the Governor how he shall exercise the pardoning power. He can not be deprived of what the constiution has bestowed upon him, but may be directed as to how he shall exercise it, provided that such direction does not trench upon his constitutional prerogative.

POLITICAL DISABILITY.

The act approved Dec. 14th, 1894, to amend section 320 of the Code of 1886 should be amended. It attempts to confer upon the Governer the right to restore a per-

son, who has been convicted of any one of the offenses named therein, "to all the rights and privileges of citizenship," which does not necessarily embrace the disqualification. The language of the constitution is,

"Sec. 3. The following classes shall not be permitted to register, vote, or hold office:—

First.—Those who shall have been convicted of treason, embezzlement of public funds, malfeasance in office, larceny, bribery, or other crime punishable by imprisonment in the penitentiary.

Second.—Those who are idiots or insane."

Section 320 of the Code only prohibits a convict from voting "at an election by the people."

The rights and privileges of citizenship do not include the right to register, vote or hold office. All persons born in the United States and all of foreign birth, who have been naturalized, or declared their intention to become such, and residing within its limits, are citizens of the State. The women and children are citizens, but have no right to vote or hold office.

I recommend that the law be so amended as to require the application to set forth the offense of which the petitioner was convicted, the court and date in which the sentence was pronounced, the length thereof, and whether he served out the term, was pardoned, or otherwise, how long he has been a citizen of the county in which he then resides, that the signers of his petition are legal voters and respectable citizens of the county in which such ex-convict then resides, and that each of such petitioners signed his name to said petition, and that the petitioner is then a law-abiding citizen and that more than one year has elapsed since he was discharged from prison and pray for the restoration to him of the right to register, vote and hold office. The act should also require a notice of the intention to apply for the removal of his political disabilities to be advertised as required by section 4527 of the Penal Code. Said petition should be sworn to, that its allegations are true. I granted the prayer of a large number of petitions presented under said act, restoring the petitioner to the right to register, vote and hold office, and my power to

do so is derived from section 12 of article 5 of the constitution, which I think is questionable. I do not think said act confers the power on the Governor which was intended and hence I recommend its amendation.

AMENDMENTS OF THE CRIMINAL LAW.

In murder cases the law should be so amended that when the accused is admitted to bail that bond should never be taken in a less sum than one thousand dollars. The taking of bonds in less sums often facilitates escapes.

PLEADING GUILTY.

It should be made the duty of every judge who presides on the trial of any indictment for felony, or misdemeanor involving moral turpitude, before allowing any plea of guilty to be entered by any defendant who is not represented by employed counsel to inquire into the case and inform the derendant of the probable punishment to be awarded upon that plea.

It is often the case that an ignorant person is induced to plead guilty as the cheapest way out of a criminal case against him when he knows not the consequences to follow such plea. Several cases have been brought to the knowledge of the Chief Executive by applications for pardon wherein the defendant was induced to plead guilty when in fact he was not guilty and could not have been convicted had the case been properly presented to the jury upon the evidence. Sometimes officers and other persons interested in fee making induce the ignorant to take such a course and the folly of it never becomes apparent to the defendant until he finds himself sentenced to hard labor for many months to pay costs.

The criminal law should be vigorously enforced against the guilty for the suppression of crime and the protection of the public, but it should never be used oppressively for the benefit of individuals nor otherwise than for the suppression of crime and the reformation of the criminal.

CARRYING CONCEALED WEAPONS.

In his report the Attorney-General urgently recommends that this practice may be made a felony and is of opinion that nothing else can suppress the evil. I quite agree with him and renew the recommendation I made to the general assembly in my first message, as follows:

"The frequent occurrence of homicides—even among people of the highest respectability—is mainly attributable to the evil and unnecessary practice of carrying concealed weapons. The present law, seems to have but little restraint upon the practice. The only way to suppress it is to make the offense a felony punishable by imprisonment in the penitentiary for not less than one nor more than three ysars; and in no case should any one be allowed to carry concealed weapons, except when travelling, or setting out on a journey which will take him beyond the limits of the State, or when he has been threatened with and has good reason to apprehend an attack and carries the weapon for his defense in that particular case. If the law be thus amended a much less number of homicides will be committed than we now have. Our law very considerately and properly, allows a person when grossly insulted to strike with his fist in vindication of his honor. In such case no life is taken; but if either party be secretly armed with a deadly weapon, it is too often the case that a murder is committed. Let the penalty for a breach of the law be a terror to its violators and many valuable lives will be spared. A fine, which may be imposed without imprisonment has but little restraint upon the evil practice which is now so common that peaceable men, from a sense of insecurity, frequently carry weapons because they know that others go armed. Let every person carry concealed weapons on all occasions, denying the privilege to none, or protect peaceable citizens against it by making the law which prohibits it a terror to those who violate it. Civilization and the security of the people from lawless violence require it."

Our people certainly have not reached such a state of lawlessness, as this general carrying of concealed weapons indicates, without cause. I am satisfied that the

lax and inefficient manner in which murder cases are tried and the light punishment inflicted on the guilty by the jury and acquittals on mere technicalities make many men feel that they can not trust to the law but must at all times go armed for their personal protection.

LYNCHING.

The taking of human life as a punishment for crime has been practiced by all nations, savage and civilized, but by the latter it has always been done through courts and established tribunals, after hearing and duly weighing the evidence and giving the accused a fair trial—an opportunity to prove his innocence. When life is thus taken it is not the act of man, it is the act of the law and no individual is responsible therefor; and every person then feels that the law is entitled to the respect and is proud of his State which thus protects the innocent and speedily punishes the guilty. But too many of our citizens, when the excitement which a dastardly and brutal offense produces, is upon them, impatient of the law's delay, set it and the authorities of their State government at defiance, forgetting the golden rule—"do unto others as you would have them do unto you"—overpower, or intimidate the officers in charge, break open jails, seize the culprit, hang him to a lamp post, or the limb of a tree and shoot his body full of bullets while dangling in the air, not giving the poor devil time to utter prayer, or to ask his God to be merciful to him in the dim vista of eternity. This is not indignation guided by a firm resolve that justice shall be administered to the wretched malefactor, which characterizes the course pursued in the most intelligent, cultured and enlightened States of the world. It is savagery, such as is practiced by the Hindoo and the Indian. The crime of rape, when perpetrated by a negro upon a white woman, provokes the highest degree of indignation, and if any outrage would justify a lawless execution by a mob, that is the one above all others. But even in that case it is better to allow the law to execute the brutal culprit than for the exasperated mob to do it in defiance of the

law and sometimes in the absence of conclusive evidence. There has not been in this State a man sentenced to hang for this offence within the last two years while there have been twenty for murder in the first degree. The reason is that the lynchers dispose of them without trial. The evil consequences of lynching one class of malefactors is contagious and extends to others.

Since the adjournment of the last general assembly numbers of such lawless executions have occurred on account of a charge of murder and assaults with intent to ravish or murder; and for similar offenses alleged to have been committed by negroes the lash has been mercilessly applied by the mob to the bare back of the supposed offender. This mobocracy is absolutely on the increase. Instances are of more frequent occurrence every year; and the governor, judges and solicitors are utterly powerless to prevent it, under the law as it is, and the present state of public opinion. As your chief executive officer it is my duty to see that the laws are enforced. I have used all available means. In the county of Butler five negroes, two or three of them women, while on their way to jail under a constable and deputies, after preliminary hearing before a justice of the peace, on a charge of murder, were seized by a mob, hanged to a tree and their bodies left hanging as a defiance to the law and the authorities of the county and State. The circuit judge has, at each term of the court since, charged the grand jury vigorously to investigate the case and find bills against the lynchers, and the solicitor has done all he could to aid the jury but no evidence has been elicited and no bill found. Here within the corporate limits of the city of Montgomery a negro was taken by a mob out of the possession of a deputy sheriff, hanged and shot to death. The negro had without any provocation, or excuse, murdered a policeman who went to his house to arrest him. But this was no justification of the lawless execution. The city court, with a grand jury of white men, convened in regular session two days thereafter. I am informed that no bill has been found against the lynchers, though the judge charged the jury to investigate it.

But a few weeks ago in the county of Henry a mob

proceeded to the town of Gordon and shot a negro to death, who was not charged with the commission of any offense, but only with the expression of opinion in favor of some men of his own race with whom the lynchers had had some trouble. These are but a few of the most flagrant occurrences of lawlessness. Many others have occurred. I have offered the highest reward for the apprehension and conviction of each and every person who aided in these lynchings and I have not yet heard of any indictment being found in any case, nor a conviction had for lynching in any county of the State save one. In the county of Washington, I am informed, that three men have been sentenced to the penitentiary for life for that offense. One or two dozen more such convictions in the more populous counties would speak most potentially in favor of the civilization and law abiding character of the people of our State. Until this lawlessness —this mobocracy—is put down, or discontinued, neither capital nor desirable immigration, to any considerable extent, will come to the State. The State is and ever will be controlled, its laws made, applied and executed by white men and this fact makes the responsibility of that race all the greater to see that the negro has the equal protection of the law.

I recommend that the law be amended so as to require a sheriff, jailor, or other officer having in his custody a prisoner, either before or after conviction, to use force even to the killing of any one to prevent the unlawful taking of such prisoner from him. The officer should be indictable and punishable for the failure to use such force, and in such cases the governor should be given the power to suspend such officer until the charge of negligence against him is investigated by the judge of the circuit, or city court, of the county in which said officer resides and certifies that such officer is blameless, or that he has been tried and acquitted. Jailers some times have been too easily intimidated and made to surrender their keys to the mob. It should be his duty instead to fire on them in defense of the jail and his prisoners. If he would do so it would be very seldom, if ever, that a jail would be raided by the mob.

I suggest an amendment of the law for the punish-

ment of rape and assults with intent to commit the same, which is that in addition to the penalties already provided, castration, in the discretion of the jury trying the case be made an alternative penalty. That in many cases would be a more effectual punishment and preventative of the crime than the punishment now provided. It would be in the least heinous cases and assaults with intent "a punishment which would suit the crime," You have the full power to enact it unless the constitutional inhibition against inflicting cruel or unusual punishment would prevent, I am inclined to think it would not and nothing should be omitted which is calculated to extend the fullest protection to the good women of our State.

I also suggest that you so change the law as to require the judge of the court having jurisdiction of the offense in every case wherein the crime of rape or an assault with intent to commit rape has been found on preliminary hearing to have been committed to order a special term of the court for the trial of such case if it be more that one month until the regular term thereof.

SPECIAL JUDGES AND CHANCELLORS.

Under the act approved February 18th, 1895 "To provide for the holding of regular terms of the circuit and chancery courts when the judge or chancellor fails to attend, or when impeachment proceedings are pending against such judge or chancellor." I have appointed 19 special judges and 24 special chancellors, and for their services and expenses there was paid out of the treasury in 1895, $1,640.24 and in 1896, $1,244.55.

It will be observed that the language of the act is "that whenever it shall be made known to the governor that any regular term" of the court will not be held "by reason of the failure of the judge or chancellor to attend such term" it is the duty of the governor to appoint a special judge or chancellor to hold such term of court. The act does not direct the manner in which these jurisdictional facts shall be made known to the governor and hence a letter or telegram from the judge or any reputable member of the bar may be deemed sufficient to make the facts known.

The act has contributed largely in many cases to the speedy dispatch of the business of the courts. I recommend that it be amended so as to require an affidavit of the judge, or some other reputable person, as evidence of his failure to attend, or if present his inability to hold court and stating the reasons therefor; and if sickness be the cause of such failure the certificate of a practicing physician to be forwarded to the governor and entered of record in his office.

I also recommend that the judges of city courts be included in said act; and that all accounts for the services of any special judge or chancellor shall be itemized and sworn to.

A supernumerary judge has been suggested by many in lieu of the act above referred to, while others question the power of the general assembly to provide such an officer under Section 19 of Article 6 of the Constitution, which reads as follows:

"The General Assembly shall have power to provide for the holding of Circuit and Chancery Courts in this State, when the Judge or Chancellor thereof fails to attend regular terms."

It is believed that such a Judge could only hold a regular term, when the Judge or Chancellor therof failed to attend and this might occur in two or more courts at one and the same time, and in different part of the State, and as he could not be ubiquitous it would in such cases but lead to confusion and dissatisfaction. The Constitution does not provide for a Judge except to hold some particular court. This view doubtless influenced the General Assembly to enact the present law. It is clear that such supernumerary Judge could not hold special terms, which if he could do, would be the great advantage of having such an officer. I am therefore of opinion that it is better to amend and retain the present law than to undertake to have a supernumerary Judge.

MENTAL OR PHYSICAL DISABILITY OF OFFICERS.

I invite your attention to the fact that there is no statute to provide for declaring a vacancy and filling the

same, when any officer of this State, from insanity or other cause, becomes unable to perform the duties of his office. This was made manifest in the case of the Solicitor of Jefferson County. Mr. Little an excellent officer and highly esteemed citizen lost his mind from the effects of disease so that he is incapable of resigning and there is no law by which said office can be declared vacant, His assistant and the Solicitor of the Circuit have, ever since his disability, performed the duties of the office. I recommend the enactment of a general statute applicable to all cases of disability, mental or physical, and a special statute in the particular case above referred to may be necessary. It would be just to the people and to the afflicted official.

THE NEW CODE OF 1896.

The Commissioner appointed to codify the laws, Hon. Wm. L. Martin, has done his work and submitted his manuscript in two volumes very neatly typewritten. I have carefully examined the same and read his report of the work which is very clear and comprehensive, showing the changes made and the rearrangement of statutes, omitting those which have been repealed, superseded, or duplicated, rewritten acts, or parts of acts, of doubtful meaning, or too obtusely expressed, and in many places substituting a new section covering those parts of several sections, or acts, which are in conflict and supplying apparent omissions and some original provisions to aid the symmetry and uniformity of our laws and produce harmony in the execution thereof according to legislative intent often carelessly, or confusedly, expressed by Legislators. The alphabetical arrangment of the chapters is good, He has come as near complying with the act under which he was appointed in showing the changes made in the text as could be done without such a voluminous work as would confuse rather than make clear in the meaning of the statutes. I find in the entire work so little that will bear criticism that after careful examination, as a Legislator, I would vote to adopt it as a whole just as reported. I do not believe that any substantial improvement can be made in it. It would

be a most excellent code as it stands. I suggest, however, that the acts passed by this General Assembly be codified with the other statutes so that when the code is printed it will contain all the general statutes of the State. After it is adopted the index will be made and that I regard as the most important part of it. A good analytical index will make it, by far, the best code the State has ever had. I extend to Mr. Martin my thanks for his laborious and excellent work. I recommend that it be referred to a special joint committee of the two houses for consideration.

OUR ELECTIONS.

We have two many of them. Nothing is so great a disturber of the public peace, good will among men and the business interests of the country as elections. We should therefore have them less frequently than we do. Two elections in one year is enough to disgust many people with the amount of political excitement and electioneering, which occurs every other year. One election every other year will beget a sufficiency of political excitement to satisfy all the people of the State, except the professional politicians, and the rounder, who lives upon the spoils. The fear of Federal interference caused the Constitutional Convention, twenty-one years ago, to place the State election on a different day from that of the election of President and members of Congress. The Federal election laws were repealed by Congress three years ago, and now no reasonale person apprehends their re-enactment or the passage by congress of a "Force Bill." I therefore renew the recommendation contained in my message of nearly two years ago, to abolish our August election and place it in November on the same day of the Federal election. It will save one-half of the expense now incurred, and be to the general advantage of the people of the State.

REPEAL THE PRESENT LAW.

Fair elections have been demanded by the people for

many years and the General Assembly has enacted various statutes upon the subject. The present one, which is substantially the Australian ballot system modified to conform to the requirements of the State Constitution has been pretty thoroughly tried in two State elections and two federal elections. At each, defects in the law were clearly developed, and numerous amendments have in consequence followed. This system may be a good one in States where there are many intelligent voters who are employed by great corporations and need some protection against the dictation of their employers. But in Alabama we are differently situated. A comparatively small per centage of our voting population is thus employed and there is no more illiteracy among them, and hence a more open and simple system of voting would be more acceptable to the voters at large. The old law, which the present one superceded, with a few amendments, would be preferable to to the present one. A legitimate and proper exercise of the influence of an intelligent voter should not be suppressed, and the present law contributes to that end. The last August election was the first at which county officers, justices of the peace and constables were elected under the present law, and there ten times greater a number of failures to comply with its complicated provisions than was ever known before in the history of the State which render necessary a large number of appointments by the Governor.

Another great defect in the election law is that it contains no provision for supplying the place of any candidate who dies or resigns in less than twenty days before the day of election.

THE STATE TROOPS.

During the past two years there has been no necessity for calling out any of this force to preserve order and protect property in the case of strikes, or riots, for fortunately nothing of the kind has occurred. There has been no call upon those in authority to order the troops into service except in two instances in which a small force

was thought to be necessary to aid the sheriff in the protection of prisoners.

The State Troops now consist of three regiments of infantry of twelve companies each, one battallion of calvary consisting of four troops, one battallion of artillery consisting of three batteries and one battallion of colored infantry consisting of two companies. These commands are composed of the very best patriotic young men of the State. In pursuance to statutes enacted by the last General Assembly they have been organized into a Brigade, but a Brigadier-General has not yet been appointed to command it.

The troops, according to the report of the Adjutant General, in which I heartily concur, are better organized, in better condition and a more soldierly spirit is prevalent among them than hitherto.

The Regular Army officers detailed for inspection, etc. report that the cavalry are more or less insubordinate, show a small attendance in some of the companies and are lacking in discipline, to which the attention of their officers having been called will no doubt be remedied.

Adjutant-General Harvey E. Jones is a very capable, efficient and painstaking officer. There is no compensation provided by law for this important officer. I recommend that he be paid fifty dollars per month and if that is not practicable that the Ordnance office, to which is attached the rank of Captain be abolished and the arms and ordnance stores be put in charge of the Adjutant-General and that he be held responsible therefor; and that the salary now paid to the ordnance officer of fifty dollars per month be given to the Adjutant-General to compensate for his services.

Lieutenant Samuel G. Jones of the United States Army detailed on the Governor's staff has rendered excellent service to the Adjutant-General and the troops, and with his aid, or that of any other officer who may be hereafter in like manner detailed; an ordnance officer can be very well dispensed with.

Some other reforms would produce greater efficiency in the State troops. The young men of many localities seem desirous to raise companies and become members of some of the organizations. To accept, equip and en-

camp all of these would be very expensive and such a number is unnecessary. Many of the companies of the commands now organized and equipped are too small and every one of them which complies with the regulations is entitled to their quarterly allowance.

Two regiments of infantry with seventy-five to one hundred men to the company, and these judiciously distributed over the State, would constitute a more efficient arm of the service and would cost the State a good deal less than the three regiments. There certainly is no necessity for more than two. This might be accomplished, not by disbanding, but by consolidating companies. The three artillery companies should be consolidated into two or into one. A six gun battery of not less than one hundred and fifty men would be more imposing in appearance and more efficient in case of necessity than the battalion of three companies we now have, and would not be more than half as expensive. The four troops of cavalry already organized are enough of that branch but these should be recruited so as to have a sufficient number of men in each troop to practice the tactics and be of soldierly appearance and able to meet any emergency.

The recommendation of the Adjutant-General in his report, herewith submitted, that a permanent camp ground be obtained for the annual encampment of the troops and large enough for the brigade, which I think should be held every other year, is hereby concurred in. It would be less expensive than the present practice of preparing a new camp every year.

I also approve the recommendation that every member of the State Troops, who obeys orders and discharges all duty as such, be exempt from the payment of poll tax and road duty, but I doubt whether any of them should be exempt from jury duty, except when the same conflicts with their duties as members of the State troops.

I do not think that there is any necessity for increasing the number of officers on the Governor's Staff. They are now so numerous that it is difficult for him ever to obtain a full attendance on any occasion; nor do I think that there should be any increase of the appropriation for encampments in the present condition of the State's

finances. I concur in the recommendation that the law be changed so as to allow the Governor in his discretion to disband any organization, or to order the consolidation of any commands. He is the constitutional Commander-in-chief and is therefore responsible for the good discipline and efficiency of the troops and should be given full power over them except as to directing the finding of courts martial and abridgement of individual rights which all military law gives to the officer and the soldier.

To stimulate a generous rivalry in drill and discipline I recommend that the Governor be authorized to offer and pay a prize of $100 annually to the best drilled, disciplined and largest company of each regiment of infantry out of the annual appropriation; and in like manner $50 as a prize to the best drilled, disciplined and largest company of cavalry and a like sum to the best drilled, disciplined and largest company of artillery and also a prize of $25 to the best drilled and disciplined company in the battallion of colored troops.

I also invite your attention to the recommendations of the board of officers for changes in the State troops. All of the officers including those of my staff have as a rule performed well their duties, but I most specially commend Col. B. L. Holt, the Quarter-Master, for the faithful and able conduct of his department.

PRESERVE OUR WAR HISTORY.

Hon. W. Brewer in 1872 published a book he had written which is of inestimable value to every library in the State and every well-informed Alabamian. But only the latter part of it attempts to give the military history of the State in the war from 1861 to '65. Therein is given a very interesting account of the organization of the different commands, though incomplete in several respects. It presents valuable material in aid of the historian, but does not attempt to give the history of the marches or the battles in which the commands were engaged, but contains an account of losses in many of the engagements. This book shows that the State furnished sixty-five regiments of infantry, thirteen regiments of cavalry, four battallions of cavalry, twenty batteries of artillery and a

part of the troops in five confederate regiments, and companies from the State were in several other commands.

There are now in the Adjutant-General's office the muster rolls of but eighteen regiments of those above enumerated and these rolls have so far faded that they cannot be successfully read except with a magnifying glass.

The day is coming and is not a generation distant when a keen pang of regret will be felt by every Alabamian who possesses any State pride, or pride of ancestry, that there is no record, no history of what our grand old State did in the war of 1861–1865. With a population then of but little over 500,000 white people, over 100,000 Alabamians were equipped as soldiers and went to the front. They made a most honorable record and many of them performed deeds of valor which should be preserved at every hazard and at any cost. That will not be done except at the instance of the State. All of us feel a pride not only in the present greatness of Alabama, but in its future. Here are our homes and our loved ones. When all of the old soldiers pass away we should leave a true record of our grand and patriotic deeds for imitation by future generations should the exigency ever occur. It is apparent to me that the only practical way to gather up the old records and to prepare a somewhat elaborate history of the part our State took in the late war is to provide an annual salary of the small sum of $1200, which would not more than pay the expenses of some well-informed and patriotic gentleman who would be willing to undertake the work of getting up the record of every command which went to the front and writing a brief history of it and of notable individual conduct of soldiers while in the service, and give as far as practicable an account of what became of them during and after the war. I suggest that such historian be appointed by the Governor, upon the recommendation of the Camps U. C. V., and other noted ex-Confederate soldiers of the State.

THE CAPITOL.

The last General Assembly, finding that the Capitol

building was sadly out of repair, obtained an estimate from architects as to how much money it would require to put it in good condition. They estimated $25,000 as necessary. Thereupon I informed the appropriations committees that if they would authorize me to expend $10,000 for that purpose I would personally superintend the repairs and make the building habitable with the expenditure of that sum, if practicable.

The building has been renovated, repaired and painted from basement to flag-staff with the exception of about one-half the inside.

Capacious boilers, guaranteed as first-class, have been placed under it, and the entire building heated by steam at an immense annual saving of coal and labor and is greatly conducive to health and cleanliness. After the appropriation was exhausted I had the desks and furniture of the Senate Chamber and Hall of the House of Representatives repaired; the rotunda between the two halls and the galleries newly carpeted, and the carpets of the old halls well cleansed; the old clumsy benches removed from the rotunda and gallery and replaced by comfortable chairs, all of which I paid for out of the contingent fund.

As directed by a joint resolution of the last session I have had swinging doors placed in the entrance to the rotunda on the second and third floors, so as to shut out the cold drafts of wind and make them comfortable. I had the old stoves removed from the halls of the two houses and eight radiators distributed around the walls, so as to give an even temperature, and have had proper closets constructed for the comfort of the members of the General Assembly, Supreme Court and other officers, who occupy the building. The total expenditures made upon repairs and improvements of the Capitol and additional furnishings during my administration amount in the aggregate to about $11,500.

While other repairs and improvements are still necessary the building is now more comfortable and in better condition than it has ever been since its erection.

GIVE IT PROPER PROTECTION.

I recommend that the holding of political conventions

in the Halls of the House and Senate be prohibited; and that the watchmen be invested with the power and designated as Capitol policemen, be required to wear a gray uniform and that it be made their duty to arrest any person who depredates upon the Capitol grounds, injures its flowers or shrubbery, or is guilty of indecent or boisterous conduct, or who throw stones, or other missiles at the building, or the windows thereof, or who deface the walls, or floors, or who writes, prints, or makes any letters, pictures, or figures thereon, and the offender shall be guilty of a misdemeanor. Said policeman should arrest such persons and take them before the City Recorder, or any Justice of the Peace of the City of Montgomery, who should have the power to punish such offender. This would secure proper care and protection of the building and Capital grounds and every citizen of the State should feel a pride therein.

A GUBERNATORIAL MANSION.

The south end of the block on which the Capitol stands should be acquired by the State and thereon erected a suitable mansion for the official residence of the Governor. All of the square, not occupied by the Capitol and the Governor's House, should be converted into a beautiful park. No doubt the City of Montgomery would, if appealed to, aid the State in this work.

The Governor's salary is so meagre that he cannot supply a residence, support his family and live in such style as the Chief Executive of the great State of Alabama should, unless he has recourse to his own private means. Under these conditions a poor man cannot afford to be our Governor.

Virginia, "the mother of States and statesmen," with a population very little larger than that of Alabama and with less material wealth—a typical southern State, elects her Governor for four years, gives him a salary of $5,000 a year, and provides an elegant and well-furnished mansion for his residence.

Alabama elects her Governor for a two years term, gives him a salary of $3,000 a year, no perquisites, no

residence and he is expected to contribute liberally to every charity.

Gentlemen, set the example for the guidance of future Legislatures to do a little better by our Governors. Common sense and State pride alike demand it.

THE STATE LANDS.

The last General Assembly passed an act approved Feb. 18th, 1895, for the relief of persons who had purchased lands, which lands were bid off for the State tax sale and from any cause were not subject to sale by the State. Under this law the State is made an insurer of titles to lands purchased at tax sale, It reverses the maxim of *caveat emtor*—let the purchaser look out for his title—which from time immemorial has prevailed at all judicial sales. This has but opened the door to speculation and agents in some localities are spending their whole time in getting up claims against the State for a refund of money paid at tax sales. The large majority of the purchasers at such sales do not pay the value of the lands, but purchase them as a matter of speculation. I recommend that said act be repealed.

I also recommend that the act approved Feb. 9th, 1895, "to dispose of lands which have been or may hereafter be sold for taxes and bid in for the State, and which have not been redeemed or purchased from the State be so amended as to fix a minimum price at $1 per acre, and if that sum is not bid for them they should not be sold. Any land in this State should be worth that sum. I suggest that some officer of the State be designated as its land agent and that the overflowed and swamp lands belonging to the State and not yet disposed of be held at $1, or $1.25 per acre and that no sixteenth sections, or other lands of the State, shall be sold for a less sum. A land agent, or commissioner could save to the State many thousands of dollars and be invaluable in guarding the interests of the school lands.

SALT SPRINGS.

By the second sub-division of section 6 of the act of

Congress approved March 2d, 1819, enabling Alabama to be admitted into the Union as a State, the following grant was made, to-wit:

"That all salt springs within the said territory, and the lands reserved for the use of the same, together with such other lands as may, by the President of the United States, be deemed necessary and proper for working the said salt springs, not exceeding in the whole the quantity contained in the thirty-six entire sections, shall be granted to the said state, for the use of the people of the said state, the same to be used, under such terms, conditions and regulations, as the legislature of the said State shall direct; Provided, the said legislature shall never sell, nor lease the same for a longer term than ten years at any one time."

Although the legislature passed several acts concerning the said springs and authorizing the governor to lease out the same, and that they were extensively worked and salt made therefrom during the late war, no deed or certification of any land from the U. S. Government was ever made to the State. In January, 1895, an application was made to me to lease one of the springs and land adjacent thereto, which caused me to investigate the matter and have search made through every department of the State Capitol for the evidence of title and none other could be found than the aforesaid act. I then made application to the secretary of the interior for the certification to the State of the seven sections of land upon which said springs were located. Large parts of these sections and in those adjacent thereto the lands had been taken up by cash entry or for homesteads. In the application in order not to disturb the purchasers and settlers I asked for the certification of other lands as nearly adjacent as practicable and which were still public to make up to the State the thirty-six sections named in the said act. But the secretary decided that he had no authority to grant lieu lands in this case and that the claim of the State had laid dormant for seventy-five years and that it was equitably barred as to the lands purchased and taken for homesteads prior to said application, but finally certified to the State which had been reserved and upon which there were no adverse claims five sections in

St. Stephens Meridian, as follows, to-wit: Sections 21 22, 27, township 7 N., range 1 E., sections 21 and 28, township 2 N., range 2 E., aggregating 3,176 60-100 acres. The certificate was issued from the General Land Office May 6th, 1896, and is now on record in the office of the Secretary of State.

I have been reliably informed that there is a considerable quantity of valuable timber upon said lands and that frequently depredations have been committed thereon. I recommend that the governor be authorized to have the said lands surveyed and permanently marked, and to appoint an agent to sell the timber which will square one foot, if deemed best, and to protect the said land from depredations. It is all situated in Clarke county.

SCHOOL INDEMNITY LANDS.

By a contract made by the Governor in pursuance to law John H. Caldwell, as the agent of the State, obtained from the United States Government thirty-eight thousand five hundred and sixty (38,560) acres of land as an indemnity for the deficiencies in sixteenth sections granted to the State for the use of public schools by the act of Congress March 2d, 1819, for the admission of Alabama into the Union as a State. All of this is mineral or coal lands and much of it very valuable. The sale or lease of these lands were provided for by act of the General Assembly, approved December 9th, 1890, and by said act the contract with said Caldwell was fully recognized and set forth and his compensation for services was also recognized by said act and stated as in the contract to be one-fourth of the lands recovered, or of land script, or money in lieu thereof. By act of the General Assembly, approved December 12th, 1892, a partition and division of said lands between the State of Alabama and said John H. Caldwell was provided for whenever the said Caldwell applied to the governor for such division. He made his application and on the 10th day of Oct., 1896, the governor, as directed by said act, appointed Eugene A. Smith, the State Geologist, to make such partition. He made the same and reported it to the gov-

ernor on Oct. 22d, which was approved by him. Said Smith found that there were obtained by said Caldwell 964 forties of land and that three of these had since been sold and the proceeds divided according to contract, that two other forties are indivisible on equitable terms, and hence are omitted from this partition, leaving 959 forties to be divided. Of these 240, or 9,600 acres, were given to said Caldwell as his one-fourth and 719 forties, or 28,760 acres, were set apart as the State's share of said lands, which can be sold or disposed of under the act of December 9th, 1890, and the proceeds thereof be credited to the school fund of the townships to which the same belongs.

All the proceedings of said petition will be by special message submitted.

MOUNT VERNON RESERVATION.

By act of Congress approved March 1st, 1895, a grant was made to the State of Alabama in the following words, to-wit: "That there is hereby granted to the State of Alabama, for public uses, all the lands belonging to the Mount Vernon Barracks Military Reservation, and now the property of the United States, together with all the improvements thereon, and that the secretary of war be, and is hereby authorized and directed to convey to said State all right, title and interest of the United States in said lands and improvements, to be held and used by said State for public purposes."

The said reservation is situated in Mobile county thirty miles northwest of the city near the Mobile and Birmingham Railroad and contains something over 1,900 acres, which is mostly well timbered, but none of it has ever been cleared or cultivated. The barracks building is a large, well-built three-story structure with slate roof and modern conveniences and is in a good state of repair. There are thirty-two brick buildings, mostly dwelling houses, within the walls and several good wooden buildings outside including a nice two-story hospital. Some 300 yards distant is the Indian village where Geronimo and his tribe were confined, containing some seventy-odd two-room frame houses with brick

stack chimneys. Near by is the Indian hospital, a large, well-built wooden building and about 100 yards from that is a very nice, commodious school building where the young Indians were taught. There is an engine, boiler and piping in position to drive the water from a large, bold spring, which breaks out under a steep hill, into a very substantial and well-elevated metallic water tank of large capacity, from which it is conveyed to the top of the tallest building and all over the grounds. The water is clear, pure and healthful. Outside of the wall just under the hill is a house for keeping large quantities of fresh meat, vegetables, etc. The situation of the barracks and building is beautiful—on a hill partially covered with oak growth and surrounded by pine woods. An old macadamized road, needing some repairs, leads from the walls to the railroad, about 500 yards distant. The land generally is poor, but a plateau of some 30 or 40 acres where the Indian village stands is level and well adapted to market gardening. A creek with from seven to twelve feet water, which can be navigated to Mobile bay by small vessels flows through one edge of the land. On the hillside near it is a vast deposit of splendid clay well adapted to brick making. The old wall, two feet thick and twelve feet high, around the buildings enclosing 30 or 40 acres has stood for forty or fifty years and is still good and strong I was informed that it was constructed of brick made of the aforesaid clay.

This property, in my opinion, is worth $200,000, and no doubt cost more than twice that sum. I appointed ex-Senator L. W. McRae to receive the property from the United States and to take care of it. He has done so at a very little expense. Some depredations have been committed on the pine timber of which there is a considerable quantity.

I recommend that the Governor be authorized to put an agent in charge of the premises with full authority to represent the State and with the approval of the Governor to sell all of the pine timber, which will square one foot, or such part thereof as may not be needed for the use of the place. This will probably stop depredations and will be a considerable source of revenue to the State.

I recommend that this splendid property be utilized by the State for some great public purpose.

THE GEOLOGICAL SURVEY.

This branch of the public service has been conducted with economy, great skill and ability by Dr. Eugene A. Smith, State Geologist, and corps of assistants. No money has been drawn from the State Treasury, as heretofore, for the printing of the reports of the results of surveys, which amounts to a considerable sum annually. That has been paid out of the regular appropriation of $7,500 per annum. The last report of the General Assembly was of the Coastal Plain, which includes all that part of the State not embraced in the Mineral Region. A geological map of the State and explanatory chart were also presented.

During the last two years the field work of the survey has been directed to a more minute examination of the Mineral Region, which produces coal, iron, gold, bauxite, limestone and clay of superior quality. Upon this subject there has been published a report upon the Coosa Coal Field by A. M. Gibson; a report upon the Upper Gold Belt by W. M. Brewer, E. A. Smith and others; a report upon iron-making in Alabama by Wm. B. Phillips. There is also a report now being published upon the valley regions of the State, by Henry McCalley, which gives full details of the occurrence of iron ores, bauxites, limestones, marble, building stones, etc., which are found most largely in the valleys of the Tenness e and Coosa rivers, and other outliers, to-wit: Roup's, Jones', Wills', Brown's, etc. The Geologist reports that maps will be completed within the next year by which it will be possible to ascertain in any portion of the Warrior and Coosa Coal Fields, what seams of coal underlie the surface, their depth below and thickness, which will make the maps very useful and valuable.

There is also in course of preparation, which it will yet take considerable time to complete, accurate maps of Cleburne, Clay, Coosa, Chilton, Tallapoosa, Randolph, Chambers and perhaps other counties, in which gold ore has been found and showing the probable extent and locality thereof.

Arrangements have been made in connection with U. S. Geological Survey, for the establishment in Alabama of anumber of gauge stations on our rivers, for the purpose of developing the water powers of the State.

A catalogue of the plants growing without cultivation in the State has, after much labor, been completed by Dr. Chas. Mohr, of Mobile, which will be of great aid to the forthcoming of a report upon the useful plants of the State, timbers, foreste, etc.

The work of the bureau is so essential to a full knowledge of the natural resources and wealth of the State, that its continuance under the present appropriation is recommended.

THE RAILROAD COMMISSION.

The Commissioners have been very attentive to their work and have performed their duties in a most satisfactory manner. They have been impartial in their rulings and so reasonable as to give general satisfaction to the people and the railroad companies.

The progress in railroad building and equipment during the last twenty years has been most remarkable. It is a most tangible and conclusive evidence of the growth and development of the industries of the State and is certainly very gratifying. In 1875 there were but 1,820 miles of railroad appraised for taxation and worth but $7,738,680.

In 1895 we had 4,072 miles or 452 miles more than double what we had twenty years before and the valuation for taxation, with their rolling stock is $45,496,603, exceeding in value what we had in 1875, $37,750,923.

In 1894 there were 1,729 miles of the railroads of the State in the hands of receivers. Now—1896—there are but 157 miles in that condition. This shows in a marked degree the revival of business.

The number of employees of railroads in the State at present is 12,686. The gross earnings of the various roads within the State for the past year is $13,119,350.68. The operating expenses less taxes and interest on bonds, $9,449,830.41, which is 72 per cent of the gross earnings and this with the taxes, except interest on their bonds is

expended within the State from which the railroads derive their revenue.

The assessed value of railroad property in the State is a fraction over one sixth of all property assessed for taxation therein.

While the rights of the people should always be sedulously guarded againt usurpation, or trespass upon individual rights, by these great corporations, yet the latter should receive encouragement and praise from the people for the great good they are doing.

THE EXAMINER OF PUBLIC ACCOUNTS.

This officer has performed his duties faithfully and well. He has promptly obeyed all the orders of the Executive and made faithful returns whose accuracy no one has questioned. His work has brought to the Treasury many dollars which otherwise might have been lost to the State. The demand for his services at times has been greater than he has been able to respond to. The work of such an officer is now necessary to a greater extent than is provided for by law. There is a demand for critical examination of the accounts of county officials, but the law does not authorize the Governor to order, nor the State Examiner to investigate the same. I therefore recommend that a law be passed that in addition to one State Examiner there be an Examiner of Public Accounts in each Congressional district; that such officers be appointed by the Governor and that they be subject to his orders and removab'e at his pleasure. They should have jurisdiction to examine into the accounts of all officers of the State and county, and make reports of the latter to the Probate Judge, except when it pertains to his own office, and then the report should be made to the Solicitor and laid before the Grand Jury. The report of such District examiners touching State finances should be made to the State Examiner, who should have the right to revise the same and lay before the Governor, with whatever recommendations he thinks proper. That the State Examiner as now be subject to be ordered by the Governor anywhere within the State and receive for his services and expenses a salary of $1,500 per annum;

and each of said district examiners be paid the sum of $6 per day while actually engaged for services and expenses, and on accounts regularly rendered and verified; and wherever the service is rendered to the county the Examiner to be paid by the county. Such a system of examination will do more to prevent frauds, defaults and loss of revenue to the county and the State, which has been too common of late years, than any legislation which you could possibly enact.

THE SECRETARY OF STATE.

This very faithful, capable and accurate officer submits his bi-ennial report, which though brief is all the law requires. Early in 1895 I found the reports of the Supreme Court from volume 85 to 100 and Acts 1894-5 had not been copyrighted and hence were subject to be printed and sold by any one, regardless of the supposed exclusive right of the State thereto. The Secretary, at my instance, sent two copies of each of said volumes to the Librarian of Congress and obtained copyrights for each and has since sent two copies of each Supreme Court Report up to and including Volume 106 and obtained copyrights therefor, aggregating 42 volumes of Reports and two volumes of Statutes. He also, by my direction, furnished four volumes of the Code of 1886 to the codifier of the laws, and for all of these books I ask that he be allowed credit in his account.

There are many of the old Codes of 1867 and 1876 in the Capitol which are now useless. I recommend that the Secretary retain three copies of each and sell all the others for whatever he can realize therefor. They occupy space in the Capitol without being of any service.

THE GREAT SEAL.

The law now requires the payment of one dollar for commissions and use of the State seal. I recommend that it be increased to two dollars. Every person who wants an office will be willing to pay that for his commission. All the adjacent States require the payment of two to four dollars for the use of their seals on each

warrant granted on requisitions for escaped felons, while in this State there is no law authorizing any charge; consequently hundreds of requisitions from Governors of other States are honored by your Governor with no charge for the Seal and a considerable amount of postage on the large packages of papers sent. I recommend that two dollars be charged for the use of the Seal on each warrant granted on requisitions for malefactors coming within the State from elsewhere. For the use of the Seal as herein recommended the State would derive several thousands of dollars annually, which it needs, without being felt b any one.

STAMPS, STATIONERY, ETC.

The practice is for the General Assembly to appropriate a lump sum for stamps and stationery and no one is charged with the proper and equitable distribution thereof and every department helps itself and the appropriation for the year is usually exhausted in May, which leads to extravagance and repeated drafts on the contingent fund. I recommend that it be made the duty of the Secretary of State to purchase and properly distribute from time to time from his office all postage stamps, etc., only to such persons as are entitled thereto, taking their receipts and fully accounting therefor and show in his annual reports the name of each person and the advances made to him.

THE AUDITOR'S REPORT.

The Honorable John Purifoy has submitted his last report as his second term of service closes with the present month. The State has had in him a faithful servant in that very important office. His report contains much valuable statistical information and good suggestions of necessary legislation. I adopt his estimates of probable receipts and disbursements for this and the next fiscal year as approximately correct.

THE STATE TREASURER.

Hon. J. Craig Smith has discharged his duties with

ability and faithfulness. The office is one of great trust and responsibility and he has been a prompt and faithful official. His report is herewith submitted.

Mr. Smith, having been elected a Representative in the General Assembly from his county, has resigned the office of treasurer to qualify as such representative, and I have appointed Hon. Geo. W. Ellis to fill the unexpired term.

THE ATTORNEY-GENERAL.

The duties of this officer are increasing annually, and are now so great as to tax to the utmost his time and attention. The amiable, faithful and untiring manner in which Mr. Fitts has attended to the business of the State, whether it came strictly within the duties of his department or not, has my commendation. His report is submitted, to which I invite your attention. I concur in his suggestion for legislation as set forth in connection with the rulings of the Supreme Court in the impeachment case of Judge Robinson. I also concur in the correctness of his statement as to the litigation in the Randolph defalcation, the Memphis & Charleston Railroad case, the Jowers white-capping case and the proceedings to forfeit the charter of the Selma & Gulf Railroad. I also approve the greater number of his other suggestions for legislation.

THE SOLICITORS

Are genrally able and active in the prosecution of criminals, and are entitled to be well compensated for their services, but the law touching the compensation of circuit solicitors and the disposition of the fees earned by them should, as a matter of justice to the State, be amended.

In the case of Purifoy, Auditor vs. Godfrey, 105 Ala. R., the Supreme Court, construing the act of Feb. 21st, 1893, held that the solicitor was entitled to his statutory percentages when he prosecuted the fees to judgment and that the collection thereof was no part of his duty, but that he was then entitled to be paid his commissions,

out of the treasury, without awaiting the collection of the fees or their receipt into the treasury. The faithful solicitor should receive his commissions, but it should be made his duty to see to their collection before-hand. It would be no hardship upon him to require the complete performance of the necessary work for their collection. When a paper is put in the hands of an attorney for collection he has no right to make his client pay his commission before he collects the money. The State should be treated with like consideration by its solictors. By the second proviso of § 22 of the last Appropriation Bill, Acts 1894–5, p. 152, it was enacted "that the percentage in fees shall be calculated on fees actually collected and paid into the State treasury," and was intended to remedy the defect developed by the Godfrey case, but it is my opinion that the provision is not permanent, but is only valid so far as that appropriation went, and hence my recommendation for its re-enactment as a permanent statute.

The "act to provide more efficient means for the collection of solicitors' fees," approved February 18th, 1895, should be amended so as to make it clearly the duty of the solicitors to see to the collection of all the fees, whether earned before their election to the office or not.

The report of the auditor shows that several thousand dollars due the State are uncollected because the property on which the same is due is in the hands of receivers or hung up in litigation. A statute should be enacted authorizing the collection of these taxes without awaiting the termination of the legal proceedings. If the compensation of the solicitors be not sufficient to cover this additional work you can make suitable provision therefor.

In the case of Purifoy, Auditor vs. Andrews, 101 Ala. R., the Supreme Court held, in construing the statute providing salaries for solicitors, that whenever there is an excess in the aggregate amount of these fees in the treasury above the payment of the annual compensation of the circuit solicitors, that such excess shall be distributed among the counties. In 1895, notwithstanding

the great deficiency in the treasury and the fact that the State was borrowing money and paying interest thereon, for half the year this law caused $36,000 to be taken out of the treasury and distributed to the counties. The same thing was done for the preceding four years, notwithstanding there was a deficiency in the State's revenues. There is no good reason why this should be done. The law should be so amended that the excess of fees should belong to the State and be used in aid of convict expenses.

The old system of giving all the fees to the solicitors as a compensation for their services is preferable to the law as it now stands, for the State gains nothing by the change from fees to salaries and is made to pay the salaries without regard to the fees received at the treasury; and if an excess comes in it must be distributed among the counties. The object of the act putting solicitors on salaries is completely defeated by the distribution of the excess of fees to the counties.

THE AGRICULTURAL BUREAU.

The term of Hon. H. D. Lane, as commissioner, expired on the 1st day of September and Hon. Isaac F. Culver, who had been elected to succeed him, qualified, and has since been discharging the duties of the office.

No report has been made to me by either the old, or the new commissioner, of the operations touching the business thereof. The incumbent, perhaps because he has as yet nothing to report, and his predecessor, because he is out of office and while in, made reports to the auditor of the fiscal operations of the bureau.

If the office be continued beyond the present term I recommend that you extend the term of the commissioner, so that it will expire and his successor will be installed at the same time of the other State officers; and also that the governor be given some supervision over the commissioner and the conduct of the bureau, as he now has over the auditor and State treasurer.

THE EDUCATIONAL DEPARTMENT.

The State superintendent, Hon. John O. Turner, sub-

mits "advanced sheets" of his report to be hereafter made in full, which he explains that he cannot now make, because the county superintendents and teachers have not yet received their pay for the last quarter of the scholastic year ended April 30th, 1896. Until then, under the law, the reports cannot be made. His "advanced sheets," of ninety-three printed pages, contain much valuable statistical information and suggestions of amendments to the school laws. They are laid before you and your careful attention invited. The school claims for the last quarter have not been paid because of a deficiency in the treasury, and an advance of the money cannot be obtained on the school warrants because they are not transferable, under the law. As soon as a sufficiency of this year's taxes is received into the Treasury the school claims will be paid.

SEGGREGATE THE SCHOOL FUND.

I earnestly recommend that a law be enacted that a tax be laid exclusively for the maintenance of public schools and when collected and paid into the Treasury it be treated as a special fund seggregated from all other money and it to be used for no other purpose. The people can then see just how much they are taxing themselves for educational purposes and know just how much money is raised therefor and when it is exhausted. It will be far more satisfactory than the present method.

In making an appropriation for the schools for the next two fiscal years I suggest that you take into consideration payments which have of recent years been made to the State, on account of sixteenth section lands which will, on account of the interest the State owes thereon, increase the appropriation about $4,000 or $5,000, making to total about $150,000. It is a trust fund which the State has accepted and used for the ordinary purposes of administration, and good faith to the school children of the State requires payment of the interest.

In the Superintendant's recommendation that County Superintendants be required to possess certain educational qualifications to hold the office I concur, but it seems

to me it would render necessary the appointment of such officers instead of their election by popular vote.

He also recommends that women be made eligible to the offices of Superintendent, Trustee, etc. of the schools. I suggest, if this be done, that their appointment be provided for and not left to an election by popular vote.

THE STATE UNIVERSITY.

No report from this Institution has yet been received. I presume that it will hereafter be sent in. It should have a larger endowment, but to sell the mineral lands belonging to it at this time would be a great sacrifice. At some future time those lands will prove to be splendid endowment. The University is most beautifully located near the classic old town of Tuskaloosa in one of the healthiest and best sections of the State.

There has been a falling-off in the number of pupils within the last two years. I hope that you and the trustees will aid the University to rise still higher than it is in public estimation and soon to become one of the grandest educational institutions in the whole country.

THE AGRICULTURAL & MECHANICAL COLLEGE.

This College is in a most flourishing, prosperous and satisfactory condition. It began its present scholastic year with a greater number of matriculates than ever before in its history. Eleven States are represented among its pupils. It improves every year and grows in popularity.

The report of it will be laid before you.

THE NORMAL COLLEGES.

These important and popular schools for white pupils, located at Florence, Troy, Livingston and Jacksonville are in a flourishing condition except the latter at which the attendance the last scholastic year seems to have been rather small. These schools are well conducted and doing great good.

Those located at Tuskeegee, Huntsville and Montgomery for colored pupils are in excellent condition and each has a large attendance. They are well conducted are doing almost incalculable good in the elevation of the young men and women of that race. I regard them as equal or superior to the colored high schools of any State in the Union.

THE INSTITUTE FOR THE DEAF.

During the last two years there have been enrolled 152 pupils; 32 boys and 70 girls. Forty-one of the sixty-six counties are represented. There are other deaf children in the State who would like to attend this school, but there is no room for them. An additional appropriation to build more dormitories and class rooms is necessary. The training of the children cannot be fully appreciated without being seen. I visited this and the other two schools of unfortunates located at Talladega, all under the very efficient management of Mr. J. H. Johnson, and never was more interested than by the successful teaching and training of those children. About sixty per cent. of the deaf mutes are taught lip-reading and to speak so that they can by observing you closely, know what you say and carry on conversation with you. They are given physical culture, and are learned industrial arts so that they can go out into the world and sustain themselves by their own labor. By an examination of the report of Mr. Johnson, which with that of the trustees is herewith submitted, and is well worthy of your careful persual, you will see a specimen of the printing done by these pupils, and an exhibit of the handiwork of the girls in this school and that for the blind.

THE ACADEMY FOR THE BLIND.

There were enrolled in this school 104 pupils; fifty-five boys and forty-nine girls. These children, like the deaf, are well cared for, healthy and cleanly and are taught the various branches of a good english education,

and enjoy historical, scientiffic and general reading in their books of raised letters, and many of them learn to be good musicians and are thus compensated as far as practicable for their great affliction. The education and physical culture they receive make life tolerable and at times enjoyable although they never behold the beauties of nature nor the light of day. About seventy are all that the Academy can accommodate. Help the poor unfortunates, gentlemen, with an additional appropriation and if any of your constituents complain at being taxed therefor invite them to visit these schools and when they return home they will praise you for your vote.

THE SCHOOL FOR THE NEGRO DEAFMUTES AND BLIND.

This is beautifully located, very handsome brick building and the pupils are well fed, kindly treated and taught just as the white children are in their schools. There were enrolled during the last two years 72 pupils; 46 boys and 26 girls. There are other unfortunates of this race whose parents desire to place them at this school but they cannot be taken without over-crowding, which the law does not permit. The number receivable should be raised and additional accommodations provided which cannot be done without an additional appropriation, which I recommend.

Mr. J. H. Johnson, the principal of all these schools, is an excellent man and well equipped for the discharge of his varied and enormous duties. His corps of teachers are very intelligent and efficient and he with their aid is doing a Godly work and should be sustained and aided by you, gentlemen of the assembly and all the good people of the State.

I invite your earnest attention to his recommendation in regard to providing for feeble minded children. It is genuine charity to do all that we reasonably can for poor unfortunate and afflicted children, and nothing can add more to the good name of our State.

AN INDUSTRIAL SCHOOL FOR WHITE GIRLS.

The general assembly at the session of 1892-3 passed

an act to establish a school of the above title, but by its terms said act was not to be operative until January, 1895. After that date I appointed a board of trustees as directed by said act. The only appropriations made by it were of $5,000 for that year and $10,000 for the succeeding year of 1896.

The trustees encountered much rivalry and contention of different places in the State for the location of said school and were themselves much divided in opinion, but all desired its location to the greatest advantage and with a view to supplement the small appropriation as far as practicable. At length a majority of the board of trustees voted to locate said school at Montevallo, a small but nice, healthful village in Shelby county and near the geographical center of the State. The citizens of that village and surrounding country donated to the State a beautiful building site with 25 acres of land and $9,000 in cash. Upon this ground is a two story brick academy building, which has been repaired at a cost of $1,000, so that it will accommodate the 170 pupils with which the school opened on the 12th day of October, last.

The executive committee of the board have entered into a contract for the erection of the west wing of a very commodious brick school building with dormitories, sufficient, when completed, to accommodate three or four hundred girls at a cost of about $13,000, one member of the committee dissenting, on account of the locality as I understand it.

There has been expended of the appropriation for the year 1895 the sum of $271, and in 1896 the sum of $2,018, which includes the payment of teachers for one month an expenses of furnishing said school, leaving of the the aggregate appropriations for the two years the sum of $12,711 unexpended.

By resolution of the board of trustees adopted at its last meeting $5,000 of this unexpended appropriation is to be applied to aid in the constuction of said building.

An excellent faculty for said school has been selected with Capt. H. C. Reynolds, one of the best business men in the State, as the president.

Believing as I did from the first that industrial schools

for our young people of both sexes were an absolute necessity I felt the greatest solicitude for this one, as a pioneer in that direction. With the very limited means at hand and the division of opinion as to where it should be located, I had almost despaired of success, until I saw this school open and make such an auspicious beginning. Such schools are very much needed and I assure you that the people generally feel a deep interest in and heartily approve of the same. It should receive at your hands the tenderest care, for it is a beginning in the right direction to contribute greatly in developing the best interests of our State. The training of our young girls, in useful industries, whose parents are not well able to give them such an education is the best use to which you can put a reasonable amount of the public money. I thertfore recommend that you make such additional appropriations as you may find necessary to insure the success of the school.

Section 11 of the aforesaid act should be amended so that no pupil will be entitled to have her board paid by the State. Such favoritism would not be right nor would it have a good effect upon the school. Free scholorships may well be given to encourage a generous rivalry among the students, but should not be otherwise extended, and at no school should the State ever pay the board of any pupil.

The said act establishing such school should also be amended by leaving out the State auditor as ex-officio member of the board of trustees and by striking out the provision making the State treasurer ex-officio treasurer of said school. These officers are the representatives of the State and the school is maintained by appropriations from the State treasury, and hence they are placed in antagonistic positions which should not be. In lieu of these a treasurer, or fiscal representative of such school as a bonded officer should be provided for.

There are seven other schools in the State—four white and three colored—known as Normal and Industrial schools to each of which there is appropriated out of the general school funds for each year sums ranging from $2500 to $7500. This is a normal as well as an industrial school for white girls and I can not see why there

should not be a similar appropriation made for it, and if that policy is to continue I recommend it.

THE BOARD OF HEALTH.

Dr, Jerome Cochran, the health officer of the State, died on the 17th of August, 1896. By his death the State lost a very useful citizen and a most efficient and valuable officer. The medical profession lost, perhaps, its most learned and scientific member. He certainly was the best organizer, and did more for the elevation of his professional brethren than any man in the State. All who knew him felt a deep regret at his departure.

The board of censors have chosen as his successor Dr. W. H. Sanders, of Mobile, who will doubtless fill the place of chief health officer as well as it could be filled by any of the survivors of the late incumbent.

The report of that department has been printed and laid before you, to which your attention is invited.

THE BRYCE INSANE HOSPITAL.

This institution located at Tuscaloosa over forty years ago has grown to be next to the largest institution of the kind in all the southern states and ranks as high, if not higher, than any such institution in the United States. The buildings and improvements constituting the plant cost $600,000 and are worth much more. It contained on the 1st day of October 1177 patients. Under a very skillful management the institution is made nearer self-sustaining than any other of the kind extant.

The amount paid by the State for the maintenance of the patients is but $2 per week, which is but two-thirds of what might be drawn under the statute. Yet the patients are all properly cared for and this low expenditure shows a remarkable degree of economical management. Owing to the crowded condition of the patients and the growing demand for the admission of others still further enlargement and improvement are required which have been for many years made from the savings from expenditures allowed. Notwithstanding the deficiency in the

State's revenues, which fortunately is growing less, this institution should be afforded an opportunity of making further expenditures in aid of this, the greatest of benefactions to the unfortunates of the State.

The very full and interesting report of the trustees and of the able and faithful superintendent of that institution are herewith submitted. These reports should be carefully distributed among your constituents, as they contain exceedingly interesting information.

OUR STATE CONSTITUTION.

It was framed and adopted twenty-one years ago when the State had just emerged from reconstruction with its credit broken down and which, with the surrounding circumstances, influenced the convention to frame a constitution adapted, as they supposed, to the necessities which then existed. These conditions have undergone very material changes in several respects. We have twice the railroad facilities, the farmers cultivate one-third more acres of land, make one-third more cotton, grain and agricultural products, three times as many tons of coal are mined, three times as many cotton factories are in operation, and the population of the State is more than one-third greater than at that time. These changes of condition render necessary several changes in the fundamental law. There are many provisions in the present constitution which are wise and answer good good purposes, but some changes seem to me absolutely essential to the future welfare and prosperity of the State. The limit of the right of taxation for State and county purposes is wise and should be retained. It is a protection to tax payers against burdensome taxation. But the restriction of the right of cities to tax themselves artards their growth and development. Every city with epopulation of 10,000 or upwards should have the right to levy as great a rate of tax for the use of such city as can be laid for State purposes.

Our elections are too frequent. The governor and State officers just about become thoroughly familiar with their duties by the expiration of their two years term. They should be elected for four years and be made in-

eligible to succeed themselves. The appointing power of the governor should not extend to justices of the peace, notaries public with justice's powers, constables and perhaps to other county officers. Their appointment, in case of vacancy, should be vested in the higher county officials.

The members of the General Assembly should be elected for the term of four years and be required to serve in two legislative sessions, one every other year, which should be extended to at least sixty days at each session instead of fifty as at present, and no general law should be passed except on reconsideration during the last five days of the session. One of the necessities for the last constitutional convention was to prevent so much local legislation. The remedy provided by the constitution is publication in a newspaper of the intention to have a local measure passed. That has proved to be wholly ineffectual, and local legislation now claims the attention of legislators all through the session, and on the last day all the most important acts are presented to the governor for his approval, when he has no time to duly consider them, and if found objectionable in any particular there is no opportunity to send them back to the General Assembly for amendment.

There should be a clause in the constitution prohibiting the General Assembly from passing any local or special acts on at least twenty different subjects and requiring general provision to be made by statute for those things to be done by the courts. Some of the State constitutions adopted within the last ten or fifteen years have extended this prohibition to more than thirty subjects.

Our judicial system could well be reformed. The justices of the Supreme court should have a longer term, say nine or ten years, and it be so arranged that the term of one judge should expire every three years and thus a majority of experienced men would always be kept on the bench.

That court is the expounder of the Constitution and the final arbiter of all legal controversies, and hence uniformity is as important as correctness of principle in its rulings. Under the present six year term and elec-

tions by popular vote the office is made political and an entire bench of inexperienced men may be chosen from the same, or an opposing political party, which would beget conflict of decision, impair uniformity and the respect and confidence of the people which are so conducive to the best interests of the State. The justices of that court should be as far removed from all political influences as practicable.

Our present judges and chancellors are exceptionally good and competent men, but changes may be made in our methods which would be a vast improvement in the administration of justice, and we have no guarantee that our present judges and chancellors will succeed themselves or be succeeded by equally as able and faithful expounders of the law. The system of electing by popular vote was adopted on the supposition of being more conducive to the administration of justice to all litigants than any other mode of selection. I think this is a mistake. A judge who is a candidate for re-election tries a case, one of the parties to which is supposed to be worth one hundred votes at an election while the other may be a man who can scarcely control his own vote. Might not that judge be tempted to lean, or incline, towards the strong man in his rulings? and yet the poor suitor is told that his vote will have such an influence upon the judge as to make him perfectly impartial. The judge may be an honest man, but human nature almost imperceptibly to him, may make him incline somewhat to the man who will be most useful to him in the impending struggle for re-election. The present system is therefore in direct violation of that part of the Lord's prayer which says "Lead us not into temptation." Fearless impartiality and ability of the judges are essential to the public welfare. The judges, in my opinion, above those of probate should be appointed by the governor and confirmed or rejected by the senate. An intelligent, independent and efficient judiciary is the very life of the State.

Our present system was adopted in the State's infancy and has been retained ever since with but few changes. The true objects of jurisprudence are the speedy administration of justice between man and man and the en-

forcement of peace and good order for the protection of society. Frequent and short terms of the court will clear up the dockets. empty the jails and save much cost to litigants and to the State. The law's delay was mentioned by Shakespeare as one of the annoyances which made Hamlet contemplate suicide; and its delay and heavy bills of cost as shown in the case of the chancery prisoner enabled Dickens to ridicule the separate chancery system out of existence, thirty years ago, in Great Britain, where it originated.

When a grand jury fails to find bills in very important criminal cases the judge should have power to order the solicitor to proceed by information. This would tend to suppress the horrible crime of lynching.

There are 330,000 voters in the State. The constitution requires the General Assembly to provide for the levying and collecting of a poll tax, not to exceed $1.50 on each poll which shall be applied to the support of the public schools in the county where collected, and exempts no one, not even the women, from paying it. Section 452 of the Code requires all males over twenty-one and under forty-five years of age to pay this tax. Of the total number of voters a fair allowance for those over forty-five years of age would be 100,000. That would leave 230,000 who should pay this tax, which would aggregate $345,000 per annum. The Auditor's report shows only about $145,000 collected. Mobile county, Birmingham, Bessemer, Pratt City, Gadsden, Attalla, Alabama City and Faunsdale are not included in the above, because statutes give this tax to those localities and the State has no account of it. The aggregate collections of this tax in these localities would not exceed perhaps $35,000, which facts show that not more than 120,000 voters within the State pay poll tax. By extending this tax to all males up to sixty years of age and raising it to $2 each would bring to the public schools from this source alone, if collected, at least $500,000 per annum. No man should be exempt from paying it, exempt in consequence of great age, or infirmity and those who will not pay it should not be allowed to vote in any election; but to do this the Constitution must be changed.

Other amendments might well be made, but those named above are the chief ones. There are but two modes of effecting these changes. One is by submitting the proposed amendments to a vote of the people at the next general election for representatives, and the other is by a Constitutional Convention called by a vote of the people.

Gentlemen of the General Assembly, it is for you to say what shall be done if anything. If you be of opinion that the Constitution should be amended, it is with you to adopt that method which you think best and in accord with the wishes of the people.

CONCLUSION.

As my official connection with you will soon terminate I trust that you will pardon a brief reference thereto. As an Alabamian I am proud to have enjoyed the honor of serving one term as her Governor. It is the highest office in the gift of the people and I am profoundly grateful for their generous confidence. I have made over two thousand appointments to office, great and small, and perhaps made some few mistakes in consequence of a lack of accurate information. My administration has been one of rigid economy to improve the the financial condition of the State. I have encountered adversities and have had many intricate problems to solve, but have in all things done my duty as I saw it. I am conscious of having labored to the best of my ability for the interest of the people and to uphold the dignity and honor of our beloved State. I trust that no act of mine, as the Chief Executive, will ever tarnish her good name, and as time rolls on the future historian will record it as the judgment of the people that I am entitled to the credit of having been an industrious, attentive and faithful servant, and in this will I find my reward.

May God endow you with wisdom in your deliberations and may the people be blessed with peace, happiness and prosperity.

On motion of Mr. Hundley the message was considered as read.

Mr. Walker moved that 250 copies of the message be printed for the use of the senate.

Which, under the rule, goes over till to-morrow.

ADJOURNMENT.

On motion of Mr. Kilpatrick, the senate adjourned at 11:55 o'clock a. m. till 10:30 o'clock to-morrow morning.

THIRD DAY.

SENATE CHAMBER,

THURSDAY, November 12, 1896.

The senate met pursuant to adjournment.

Prayer by Rev. Dr. Davis of the city.

Present,

Messrs. President, Abercrombie, Bethune, Boykin, Brewer, Brooks, Browder, Brown, Buchanan, Case, Cunningham, Deans of Shelby, Deens of Covington, Grant, Hall, Hawkins, Hogue, Hollis, Hundley, Kilpatrick, Lee, Matthews, McElderry, Moody, Nolen, Pettus, Robinson, Rogers, Smith, Sowell, Thomason and Walker—32.

The journal of yesterday was read and approved.

REPORT OF THE COMMITTEE ON RULES.

Mr. Sayre, Mr. Brewer presiding, reported the following rules for the senate:

RULES OF THE SENATE.

RULE 1. The President having taken the Chair, and a quorum being present, the journal of the preceding day shall be read to the end, that any mistake may be corrected that snall be made in the entry.

2. Every Senator, when he speaks, shall address the Chair, standing in his place, and, when he has finished, shall sit down.

3. No Senator shall speak more than twice on any question under debate, and shall not consume more than one hour at each time, without leave of the Senate; but the originator of the pending question, or chairman of the committee reporting the measure, shall have the right to conclude the debate, after all other senators, who desire to do so, have spoken.

4. When two or more senators rise at the same time, the president shall name the senator who is to speak first.

5. When a senator shall be called to order by the president, or a senator, he shall sit down; and every question of order shall be decided by the president, without debate, subject to an appeal to the senate, and the presi lent may call for the sense of the senate on any question of order.

6. If a senator be called to order by a senator for words spoken, the exceptional words shall immediately be taken down in writing by the secretary, that the president may be better enabled to judge of the matter.

7. No senator shall absent himself from the service of the senate, for as long as one day, without leave of the senate first obtained. In case a less number than a quorum of the senate shall convene, they are hereby authorized to send the sergeant-at-arms, or any other persons by them authorized, for any or all absent senators, as the majority of such senators present shall agree, at the expense of such absent senator, unless such excuse for non-attendance shall be made, as a quorum of the senate shall judge sufficient, in which event the expense of securing the attendance of such senator shall be paid out of the contingent fund.

8. When a motion shall be made, it shall be reduced to writing, if desired by the president, or any senator, delivered at the table, and read, before the same shall be debated.

9. When a question is under debate, no motion shall be received but—

To adjourn to a day certain,
To lay on the table,
To postpone indefinitely,
To postpone to a certain day,
To commit, or
To amend;

which several motions shall have precedence, in the order they stand arranged, and the motion for adjournment shall always be in order, and be decided without debate.

10. If the question in debate contains several points, any senator may have the same divided, but on a motion to strike out and insert, it shall not be in order to move for a division of the question; but the rejection of a motion to strike out and insert one proposition, shall not prevent a motion to strike out and insert a different proposition, nor prevent a subsequent motion, simply to strike out; nor shall the rejection of a motion simply to strike out, prevent a subsequent motion to strike out and insert.

11. In filling up blanks, the largest sum and longest time shall be first put.

12. When the reading of a paper is called for, and the same is objected to by any senator, it shall be determined by a vote of the senate, and without debate.

13. The *unfinished business* in which the senate was engaged at the last preceding adjournment, shall have the preference in the *special orders* of the day.

14. When the *yeas* and *nays* shall be called for by one-tenth of the senators present, each senator called upon shall, unless for special reasons he be excused by the senate, declare openly, and without debate, his assent or dissent to the question. In taking the *yeas* and *nays*, and upon the call of the senate, the names of the senators shall be called alphabetically, except that the name of the president shall be first called.

15. When the *yeas* and *nays* shall be taken upon any question, in pursuance of the above rule, no senator shall be permitted, under any circumstances whatever, to vote after the decision is announced from the chair.

16. All motions to go into executive session shall be decided without debate.

17. All joint resolutions, except those which require

immediate action, shall lie over one day, before they shall be considered by the senate.

18. No motion shall be deemed in order to admit any person whomsoever within the doors of the senate chamber, to present any petition, memorial or address or to hear any such read.

19. When a question has been made and carried in the affirmative or negative, it shall be in order for any senator of the majority to move for the reconsideraiion thereof; but no motion for the reconsideration of any vote shall be in order after a bill, resolution, message, report, amendment or motion, upon which the vote was taken, shall have gone out of the possession of the senate, announcing their decision; nor shall any motion for reconsideration be in order, unless made on the same day on which the vote was taken, or by 12 o'clock next day. Provided, that when a vote, by which a bill is passed, is reconsidered, it shall be in order to move for a reconsideration of the vote by which the bill was ordered to be engrossed and read a third time.

"But when a bill, resolution, message, report, amendment or motion is not in the possession of the senate, a notice that a motion for reconsiderrtion will be made, may be entered before said 12 o'clock, and the motion to reconsider may then be made, when said measure is the possession of the senate."

20. All questions shall be put by the president of the senate, and the senators shall signify their assent or dissent, by answering the aye or no.

21. The president of the senate shall have the right to name a senator to perform the duties of the chair, but such substitution shall not exceed beyond adjournment.

22. After reading the journal, business shall be called in the following order:

1st. Signing bills by president.
2d. Call of districts.
3d. House messages.
4th. Reports from standing committees.
5th. Reports from select committees.
6th. Motions and resolutions.

7th. Bills on third reading.
8th. Regular order of the day at 12 M.
9th. Miscellaneous business.

The committees on enrolled and engrossed bills, and on journal, may report at any time.

This order of business cannot be set aside except by a vote of three-fourths of the senators voting.

When reports of standing committees are in order, the committee shall be entitled to the floor, last occupying it when the reports were in order.

These rules shall not interfere with special orders for particular days, or special orders for the senate.

Special orders shall be called at the hour of 12 o'clock, unless specially set for some other hour; and a motion for a special order, if objected to, shall first be referred to and reported from the committee on rules.

Under call of the districts, only bills, petitions, memorials, or resolutions which are to be referred to a committee, shall be introduced, and every bill, petition, memorial, or other paper shall, upon the first reading thereof, be referred by the president to the standing committee having the subject matter thereof under consideration, unless the senate, by a two-thirds vote, order otherwise. And before any petition or memorial addressed to the senate shall be received and read at the table, whether the same shall be introduced by the president or a senator, a brief statement of the contents of the petition or the memorial shall verbally be made by the introducer.

23. Every bill shall receive three readings previous to its being passed; and the president shall give notice at each, whether it be first, second, or third; which readings shall be on three different days. And no bill shall become a law until it shall have been referred to a committee and returned therefrom, and upon its final passage read at length, and the vote taken by yeas and nays, and the names of the senators voting for and against the same be entered on the journal. And the president shall, in the presence of the senate, sign all bills and joint resolutions passed by the general assembly, after the titles have been publicly read, immediately

before signing, and the fact of signing shall be entered on the journal. And all resolutions proposing amendments to the Constitution, or to which, the approbation or signature of the president may be requisite, or which may grant money out of the contingent fund, shall be treated, in all respects, in the introduction and form of proceedings thereon in the senate, in a similar manner with bills.

24. Bills on first reading may be amended or committed, and shall be read a second time when returned from the committee on any subsequent day.

25. The final question, upon the second reading of every bill, resolution, constitutional amendment, or motion originating in the senate, and requiring three readings previous to its being passed, shall be, "whether it shall be engrossed and read a third time?" and no amendment shall be received for discussion at the third reading of any bill, resolution, amendment or motion, unless by unanimous consent of the members present; but it shall at all times be in order, before the final passage of any such bill, resolution, constitutional amendment or motion, to move its commitment, and if such commitment take place, and any amendment be reported by the committee, the said bill, resolution, constitutional amendment or motion shall be again read a second time, and then the aforesaid question shall be again put.

26. The special orders of the day shall not be called by the chair before 12 o'clock, unless otherwise directed by the senate.

27. The titles of bills and such parts thereof only as shall be effected by proposed amendments, shall be inserted on the journals.

28. The proceedings of the senate, when not in committee of the whole, shall be entered on the journal as concisely as possible, care being taken to detail a true and accurate account of its proceedings; but every vote of the senate shall be entered on the journal, and a brief statement of the contents of each petition, memorial or paper presented to the senate, shall also be inserted on the journal.

29. The president of the senate shall appoint the chairman and members of the standing committees.

30. When motions are made for reference of the same subject to a select committee, and to a standing committee, the question on reference to the standing committee shall be first put.

31. When acting on *confidential* or *executive business* the *senate shall be cleared* of all persons except the secretary, the assistant secretary and door-keeper. The *executive* and *confidential legislative proceedings* shall be ke kept in a separate boo- from the *public legislative proceedings* of the senate.

32. The committee on rules may at any time report a special rule that debate on a pending measure shall cease at a certain hour, and a vote be taken on the measure. The consideration of such special rule shall not exceed thirty minutes, when a vote shall be taken thereon.

33. When any question may have been decided by the senate, in which two-thirds of the senators present are necessary to carry the affirmative, any senator who votes on that side which prevailed in the question, may be at liberty to move for a reconsideration, and a motion for a reconsideration shall be decided by a majority of votes. And every bill, question or measure may be reconsidered at any time before 12 o'clock of the succeeding day, and no motion to table a motion to reconsider shall be in order, if made on the same day the proposition proposed to be reconsidered, was carried.

34. Messages shall be sent to the house of representatives by the secretary, who shall previously endorse the final determination of the senate thereon.

35. Messages may be introduced in any stage of business, except while a question is being put, while the yeas and nays are being called, or while the ballots are being counted.

36. The reporters shall be placed on the floor of the senate by the secretary, or under his direction.

37. The presiding officer of the senate shall have the regulation and control of such parts of the capitol, and

of its passages, as are or may be set apart for the use of the senate and its officers.

38. Persons admitted on the floor of the senate chamber while the senate is in session:

1. Executive officers of the State and of the United States.

2. Judges and ex-judges of the State and of the United States Courts, members of congress and members of the General Assembly.

3. Ex-members of Congress and ex-Senators of Alabama.

4. Editors and reporters, at such tables as may be assigned on the floor or in the bar.

All other persons are excluded therefrom, and all persons are to be excluded from the bar, and the chairs and seats of the senators, and from the closets of the senate chamber, and from being near the fireplaces, except such as are invited by members of the senate by card, which the secretary shall have printed and furnished to the members.

No smoking shall be allowed in the senate chamber.

39. The time of the meeting of the senate each day shall be 10:30 o'clock a. m.; and in all cases, upon the adjournment of the senate, the secretary shall enter on the journal the hour of adjournment, and the name of the member on whose motion the adjournment was had.

40. To aid in the dispatch of business there shall be nineteen standing committees, upon the following subjects, and to consist of the number hereinafter named:

1. On judiciary, including rules and regulations; to consist of eleven members.

2. On finance and taxation, including accounts and claims, fees and salaries, and contingent fund; to consist of nine members.

3. On penitentiary, prisons and punishment; to consist of seven members.

4. On corporations; to consist of seven members.

5. On local legislation; to consist of five members.

6. On education; to consist of seven members.

7. On commerce and common carriers. including highways and manufactures; to consist of seven members.

8. On agriculture; to consist of seven members.

9. On municipal and county organization, and to include poor laws and charitable institutions: to consist of five members.

10. On immigration, industrial resources and public buildings; to consist of seven members.

11. On privileges and elections, including grievances, disabilities and registration; to consist of seven members.

12. On printing; to consist of three members.

13. On public health; to consist of seven members.

14. On military; to consist of three members.

15. On temperance; to consist of seven members.

16. On engrossed bills; to consist of three members.

17. On enrolled bills; to consist of three members.

18. On revision of the journal; to consist of five members, whose duty it shall be to examine in reference to each bill or resolution finally passed by the general assembly, and report whether the journal contains the entries in reference thereto required by the constitution.

19. On rules; consists of five members, with the right to report at any time.

41. Bills on third reading, postponed to day certain, shall take precedence on such days, and from day to day thereafter until disposed of, of bills on third reading, and the precedence of such postponed bills shall be in the order of their postponement respectively.

42. No discussion or debate shall be allowed while a vote is being taken, except by unanimous consent of the senate.

43. A motion to lay on the table any amendment or substitute shall not carry with it the original bill, resolution or proposition.

44. The secretary of the senate is required to furnish daily to the members of the senate a printed calendar of all the bills and resolutions intended to have the force of laws on third reading, in the order in which they are entitled to consideration.

45. All the bills reported adversely by any committee shall be retained by chairman until called for by senator. The chairman will then report the bill, which will be read for a second time, and the adverse report will come

up for consideration, when regularly reached on the calendar.

46. No motion to suspend, modify or amend any rule or any part thereof, shall be in order except on one day's notice in writing, specifying precisely the rule, or part thereof, proposed to be suspended, modified or amended and the purpose thereof; and before any vote shall be taken on such motion, it shall be first referred to the committee on rules, and the said committee must report thereon; but any rule may be suspended by unanimous consent of the senate, and alterations of the rules shall be decided by a majority vote.

47. All resolutions shall be referred to and reported from the committee on rules before consideration by the senate.

Mr. Hundley moved to amend rule 47 as reported by adding thereto:

"*Provided*, that this shall not apply to resolutions requiring immediate consideration."

Adopted.

On motion of Mr. Sayre the report, as amended, was adopted and 100 copies of the rules ordered printed for the use of the senate.

APPOINTMENT OF PAGES AND MESSENGERS.

The president announced as pages of the senate Claud Timberlake and Horace Hood, Jr., and as messenger, Cyrus Brown.

INTRODUCTION OF BILLS.

On a call of the districts bills were introduced, severally read one time and referred to appropriate committees as follows:

By Mr. Brown—

s. 14. To amend sections 340, 341 and 342 of the code of 1886,

Privileges and elections;

By Mr. Hundley—

s. 15. To establish a new charter for the city of Huntsville,

Municipal and county organizations;

By Mr. Robinson—

s. 16. To amend an act entitled an act to dissolve garnishments in cases where the defendant executes bond to plaintiff, approved February 12, 1891,

Judiciary;

Also,

s. 17. To authorize persons not parties to suits or judgments to have process of garnishments dissolved by executing bond payable to plaintiff in cases where such persons claim the money or property sought to be subjected by garnishment,

Judiciary;

By Mr. Abercrombie—

s. 18. To establish a new charter for the town of Edwardsville, in Cleburne county, and to create the same a separate school district,

Municipal and county organizations;

By Mr. Bethune—

s. 19. To amend an act to bar certain claims of witnesses registered against the fine and forfeiture fund of Bullock county, approved February 28, 1889,

Judiciary;

Also,

s. 20. To fix thetime for pleading, and setting of causes for trial in the courts of the third judicial circuit of Alabama.

Judiciary;

By Mr. Case—

s. 21. To better protect prisoners in this State against mob violence,

Judiciary;

By Mr. Pettus—

s. 22. To secure more effectively competent and well qualified jurors in the county of Coosa,

Judiciary;

By Mr. Browder—

s. 23. To make appropriations for the ordinary expenses for the executive, legislative and judicial depart-

ments of the State, for interest on the public debt and for public schools,

Finance and taxation;

RESOLUTIONS.

Mr. Bethune offered the following joint resolution:

Resolved by the Senate, the House concurring, That the senate and house meet in joint session, on Saturday, November 14th, 1896 at 12 o'clock m., for the purpose of ascertaining and proclaiming the result of the election held in this State on the first Monday in August, 18%6, as required by section 394 of the code.

Which was referred to the committee on rules.

Mr. Abercrombie offered the following resolution:

Resolved, That the thanks of the senate be tendered to Hon. F. L. Pettus, the retiring president, for the able, dignified, courteous and impartial manner in which he discharged the duties of his high office.

On motion of Mr. Cunningham the rules were suspended by unanimous consent, and the resolution adopted.

Mr. Brewer offered the following resolution:

Resolved, That the doorkeeper be and he is hereby authorized to employ the services of two servants as attendants on this chamber, whose per diem shall be two and 50-100 dollars for one and one and 50-100 dollars for the other.

Which was referred to the committee on rules.

Mr. Moody offered the following joint resolutions:

Be it resolved by the Senate of Alabama the House of Representatives concurring, That a committee of two from the senate and three from the house be appointed to in-

vestigate and report upon the following matters to-wit:

1. The amount of money borrowed by the State during the year 1896, from whom obtained, date of obligation, when carried into the treasury, when due, and rate of interest to be paid.

2. The amount of auditors's warrants now outstanding, when they were issued, and to what persons,—stating them by classes.

3. The amount now due or to become due on appropriations already made, to teachers, to all legislative, executive and judicial officers, and to all State institutions up to January 1, 1897.

4. The amount necessary to cover all existing and lawful claims against the treasury not heretofore mentioned, and not including the bonded indebtedness of the State.

5. The amount of money now in the treasury.

6. All other facts that may be necessary or proper to show the exact condition of the treasury at the present time.

Which was referred to the committee on rules.

Mr. Case offered the following resolution:

Resolved, That we shall never quit fighting for the restoration of silver to its proper place, as it was prior to 1873 until reinstated.

Which was referred to the committee on rules.

UNFINISHED BUSINESS.

Mr. Hundley's joint resolution offered on yesterday was taken up and read.

On motion of Mr. Hogue the resolution was laid on the table.

Mr. Brown's joint resolntion offered on yesterday.

Providing for the appointment of a joint committee to consider the necessity, advisability and practicability of increasing the common school fund by taxation or otherwise, so as to extend the minimum length of the public schools to one hundred and twenty days.

Was taken up, read and adopted.

ADJOURNMENT.

On motion of Mr. Abercrombie, the senate adjourned at 11 A. M. o'clock until 10:30 o'clock to morrow morning.

FOURTH DAY.

FRIDAY, November 13th, 1896.

The senate met pursuant to adjournment.

Prayer by the Rev. Mr. Atkinson of the city.

Present,

Messrs. President, Abercrombie, Bethune, Boykin, Brewer, Brooks, Browder, Brown, Buchanan, Case, Cunningham, Deans of Shelby, Deens of Covington, Grant, Hall, Hawkins, Hogue, Hollis, Hundley, Kilpatrick, Lee, Matthews, McElderry, Moody, Nolen, Pettus, Robinson, Rogers, Smith, Sowell, Thomason and Walker—32.

APPOINTMENT OF THE STANDING COMMITTEES OF THE SENATE.

The president of the senate announced the following standing committees:

Judiciary—Messrs. Pettus, Kilpatrick, McElderry Hogue, Moody, Sowell, Bethune, Boykin, Smith, Brown, Hundley.

Finance and Taxation—Messrs. Brewer, Walker, Rogers, Hawkins, Matthews, Lee, Thomason, Nolen, Case

Penitentiary—Messrs. Cunningham, McElderry Hogue, Rogers, Boykin, Deans of Shelby, Day.

Corporation—Messrs. Walker, Bethune, Matthews Sowell, Smith, Cunningham, Nolen.

Local Legislation—Messrs. Hogue, Smith, Grant, Robinson, Case.

Education—Messrs. Abercrombie, Moody, Hawkins Kilpatrick, Deens of Covington, Robinson, Hollis.

Commerce and Common Carriers—Messrs. Boykin, Pettus, Rogers, Moody, Nolen, Deans of Shelby, Buchanan.

Agriculture—Messrs. Hawkins, Browder, Matthews, Thomason, Lee, Buchanan, Brooks.

Municipal and County Organizations—Messrs. Kilpatrick, Sowell, Brown, Hundley, Hall.

Immigration—Messrs. Rogers, McElderry, Browder, Abercrombie, Deens of Covington, Day, Buchanan.

Privileges and Elections—Messrs. McElderry, Sowell, Pettus, Walker, Kilpatrick, Bethune, Hall.

Printing—Messrs. Grant, Brewer, Hollis.

Public Health—Messrs. Browder, Walker, Cunningham, Abercrombie, Buchanan, Deens of Covington, Brooks.

Military—Messrs. Lee, Browder, Brown.

Temperance—Messrs. Moody, Grant, Robinson, Matthews, Thomason, Deans of Shelby, Hundley.

Engrossed Bills—Messrs. Sowell, Grant, Robinson.

Enrolled Bills—Messrs. Matthews, Abercrombie, Hollis.

Revision of the Journal—Smith, Brewer, Hogue, Hall, Buchanan.

Rules—Messrs. Sayre, Pettus, Brewer, Kilpatrick, Hogue.

ORDER TO PRINT.

On motion of Mr. Abercrombie, 200 copies of the standing committees were ordered printed, and the secretary instructed to have them bound with the rules.

INTRODUCTION OF BILLS.

On the call of the districts bills were introduced, read, and referred to appropriate committees as follows:

By Mr. Brown—

"s. 24. To provide for making non-resident parties defendants in actions at law by publication where one or more defendants in such action reside in the State,

Judiciary;

Also, (by request)

s. 25. To establish a county school-book board, to select a uniform series of text books for use in the public schools in the county of Winston,

Education;

By Mr. Sayre (Mr. Kilpatrick presiding)—

s. 26. To relieve Laura C. Hill, of Montgomery county, of the disabilities of non-age,

Judiciary;

By Mr. Hogue (with notice)—

s. 27. To refund to Henrietta Morton thirty dollars paid into the State treasury by her, for the purchase of certain lands bid in by the State for taxes, and subsequently found to have been erroneously sold,

Finance and taxation;

By Mr. Grant—

s. 28. To amend section 2984 of the Code of Alabama,

Judiciary;

By Mr. Lee—

s. 29. To provide for the better support of the public schools of Escambia county, Alabama,

Education;

By Mr. Walker—

s. 30. To establish a new charter for the city of Demopolis,

Corporations;

By Mr. Case—

s. 31. That no person on official bond, in this State, shall be held liable for any shortage claimed to be on such bond, until the maker of the same shall have been tried, convicted and punished, in accordance with law,

Judiciary;

By Mr. Smith—

s. 32. To amend section 12 of an act to establish a State board of embalming, to provide for the better protection of life and health, to prevent the spread of contagious diseases, and to regulate the practice of embalming, and the care and disposition of the dead, approved December 12th, 1894,

Public Health;

Also,

s. 33. To amend an act to allow county commis-

sioners in each county to appropriate a sufficient sum to pay armory rent for military companies located in their respective counties, approved February 18th, 1895,

Military;

By Mr. Moody—

s. 34. To prevent the dismissal of action at law and suits in equity for the reason that some court other than the one in which the cause originated, has jurisdiction of the subject matter, and to prescribe the practice in such cases,

Judiciary;

Also,

s. 35. To authorize equitable defenses to be set up in actions at law and to provide for the practice in such cases,

Judiciary.

LEAVE OF ABSENCE.

Mr. Deans of Shelby asked and obtained leave of absence for himself for to-morrow.

REPORT OF THE COMMITTEE ON RULES.

Mr. Pettus from the committee on rules reported favorably the resolution offered by Mr. Bethune on yesterday, providing for a joint session of the two houses at 12 o'clock M. on Saturday, November 14th, 1896, for the purpose of counting the vote and proclaiming the result of the election held in August last,

And on his motion the resolution lay on the table.

Also reported favorably the joint resolution offered by Mr. Moody on yesterday, raising a joint committee to inquire into and report the financial status of the State,

The resolution was adopted.

The president announced as the committee on part of the senate, Messrs Moody and Smith.

Mr. Pettus from the committee on rules, also reported the resolution offered on yesterday by Mr. Brewer, providing for two servants for the senate chamber, and fixing their per diem.

The resolution, as reported, provides for the employment of two servants, at the pay of one dollar and fifty cents, each, per day,

Which was adopted.

MESSAGE FROM THE HOUSE.

Mr. President:

The house has adopted the joint resolution herewith sent inviting the senate to be present to-day at twelve o'clock noon, at which time the speaker shall open the election returns under section 394 of the Code of 1886, and ascertain and proclaim the result thereof.

MASSEY WILSON, Clerk.

HOUSE MESSAGE.

On motion of Mr. Cunningham, the house message was referred to the committee on rules.

RECESS.

The senate took an informal recess.

The president having called the senate to order, he announced as the committee on part of the senate under Mr. Brown's joint resolution to inquire into the school fund, Messrs. Brown and Abercrombie.

NOTICE OF CONTEST.

The president laid before the senate the contest papers against George N. Buchanan, the sitting senator from the 25th Senatorial District of the State of Alabama, by Charles B. Bricken, contestant.

Which were referred to the committee on privileges and elections.

MESSAGE FROM THE HOUSE.

Mr. President:

The house requests the return of the resolution relative to the counting of the vote for State officers.

MASSEY WILSON, Clerk.

HOUSE MESSAGE.

The request was granted and the resolution returned to the house.

The senate took an informal recess, and was called to order by the president.

MESSAGE FROM THE HOUSE.

Mr. President:

The house has adopted the joint resolution herewith sent relative to ascertaining and proclaiming the result of the State election.

MASSEY WILSON, Clerk.

HOUSE MESSAGES.

The senate concurred in the house joint resolution, just received, providing for a joint convention of the two houses of the general assembly to-day at 12 o'clock M. for the purpose of counting the vote, ascertaining and proclaiming the result of the election for State officers held last August.

JOINT CONVENTION.

In accordance with a joint resolution heretofore concurred in, at the hour of 12 o'clock M. the senate proceeded to the hall of the house of representatives to witness in joint convention with the house of representatives the opening of the returns, ascertaining and proclaiming the result of the election held in August, 1896, for executive officers of the State.

The joint convention was called to order by the president of the senate, who directed the secretary of the senate to call the roll of the senate; and the roll being called, there were present of the senate:

Messrs. President, Abercrombie, Bethune, Boykin, Brooks, Browder, Brown, Buchanan, Case, Cunningham, Deans of Shelby, Deens of Covington, Grant, Hall, Hawkins, Hogue, Hollis, Kilpatrick, Lee, Matthews,

McElderry, Moody, Nolen, Pettus, Robinson, Rogers, Smith, Sowell, Thomason and Walker—30.

The speaker of the house of representatives directed the clerk of the house to call the roll of the house of representatives; and the roll of the house being called, there were present of the house of representatives:

Messrs. Speaker, Abercrombie, Altman, Appling, Baker, Barnes, Barron, Beasley, Beeson, Bouldin, Brandon, Brown of Jefferson, Browne of Talladega, Brothers, Burns, Cameron, Campbell, Carmichael, Cofer, Coleman, Canant, Dale, Darby, Davis, Dreyspring, Eiland, Espy, Flewellen, Franklin, Gast, Gaston, Glover, Graves, Greene, Harris, Hampton, Harkins, Hearn, Heflin, Henley, Henson, Hibbard, Hill, Huddleston, Hunt, Jenkins, Joseph, Kennamer, Killen, Knowles, Kyle, Lavender, Lawson, Lipscomb, Lloyd, Long, Love, Meadows, Mills, Merrill, Mitchell, McClellan, McCollum, McGuire, Newman, Nesmith, Ovens, Palmer, Perry, Pitts, Poole, Porter, Prowell, Reynolds, Robinson, Rogers, Shamblin, Sheldon, Simmons, Smith of Dallas, Smith of Tallapoosa, Stansel, Stewart, Timberlake, Townsend, Troup, Tunstall, Waller of Hale, Waller of Montgomery, Wiley, Wood of Henry, Wood of Macon, Yarbrough—93.

There being a majority of the general assembly present, the speaker of the house proceeded to open the returns of the last election for executive officers of the State, held on the first Monday in August, 1896, and proclaimed the result as follows:

OFFICIAL VOTE OF ALABAMA, FOR 1896.

COUNTIES.	FOR GOVERNOR.		FOR SECRETARY OF STATE.		FOR STATE TREASURER.	
	J. F. Johnston.	A. T. Goodwin.	J. K. Jackson.	J. A. Grimmett.	G. W. Ellis	J. A. Bingham.
Autanga	1125	536	1084	424	1085	502
Baldwin	794	469	682	405	659	387
Barbour	2971	1179	2929	1075	2926	1072
Bibb	1069	1522	1005	1222	950	1215
Blount	1930	1757	1886	1722	1861	1573
Bullock	2815	113	2794	99	2798	92
Butler	1536	1547	1436	1497	1423	1487
Calhoun	2536	2299	2469	2083	2443	2079
Chambers	2626	1925	2486	1959	2575	1856
Cherokee	1170	1704	1113	1578	1087	1454
Chilton	522	1005	464	950	474	924
Choctaw	1010	1412	970	1339	947	1341
Clarke	2284	1167	2163	1167	2216	1178
Clay	1351	1286	1274	1250	1256	1243
Cleburne	867	953	823	858	830	854
Coffee	1041	1464	1017	1414	1005	1428
Colbert	1885	1688	1869	1595	1808	1583
Conecuh	649	1385	568	1321	566	1300
Coosa	1053	1484	1018	1450	1005	1414
Covington	730	847	672	824	668	810
Crenshaw	1376	1697	1327	1673		
Cullman	1010	1029	820	976	836	893
Dale	1465	1977	1406	1898	1408	1870

OFFICIAL VOTE OF ALABAMA—CONTINUED.

COUNTIES.	FOR GOVERNOR.		FOR SECRETARY OF STATE.		FOR STATE TREASURER.	
	Joseph F. Johnston.	Albert T. Goodwyn.	James A. Grimmett.	James K. Jackson.	George W. Ellis.	John A. Bingham.
Dallas	5596	110	5554	102	5583	99
DeKalb	1506	1360	1278	1352	1218	1138
Elmore	1617	2518	1592	2457	1591	2396
Escambia	954	703	915	500	903	469
Etowah	1498	1623	1283	1417	1262	1382
Fayette	706	1050	542	941	647	927
Franklin	816	1136	756	1041	748	1031
Geneva	808	1307	763	1276	760	1246
Greene	1966	445	1964	388	1959	396
Hale	3002	809	2959	411	2967	394
Henry	2564	2594	2449	2507	2580	2384
Jackson	2496	2076	2343	2026	2323	1999
Jefferson	6946	5619	6507	4886	6380	4825
Lamar	1273	985	1221	923	1154	946
Lauderdale	2134	1195	2142	1062	2102	1042
Lawrence	987	1832	879	1432	847	1428
Lee	2481	1708	2288	1646	.....	.....
Limestone	1850	1654	1748	1521	1701	1510
Lowndes	4126	591	4126	481	4088	493
Macon	1026	481	997	486	1017	443
Madison	4088	1824	3927	1716	3909	1675
Marengo	3202	1311	3042	1096	3060	1088
Marion	1165	553	1098	503	1033	474

OFFICIAL VOTE OF ALABAMA—CONTINUED.

COUNTIES.	FOR GOVERNOR.		FOR SECRETARY OF STATE.		FOR STATE TREASURER.	
	Joseph F. Johnston.	Albert T. Goodwyn.	James A. Grimmett.	James K. Jackson.	George W. Ellis.	John A. Bingham.
Marshall	1249	1786	1107	1580	1077	1543
Mobile	4490	1500	4112	1298	4019	1333
Monroe	1411	549	1372	493	.....	.....
Montgomery	4856	983	4944	658	4928	660
Morgan	2031	1914	1924	1756	1858	1800
Perry	3397	447	3378	392	3358	401
Pickens	2108	1717	2093	1650	2051	1649
Pike	1799	2222	1615	2035	1570	2015
Randolph	1428	1358	1275	1189	1271	1160
Russell	2101	764	2078	749	2093	715
Shelby	1287	1970	1232	1900	1223	1871
St. Clair	759	1660	591	1536	584	1535
Sumter	2006	372	1967	357	1948	343
Talladega	2157	2260	2003	2144	1995	2222
Tallapoosa	2201	2298	2167	2134	2058	2099
Tuscaloosa	2402	1950	2325	1882	2262	1839
Walker	1866	818	1628	742	1630	686
Washington	539	366	495	293	482	286
Wilcox	3422	77	3418	68	3416	64
Winston	518	350	447	303	469	273
Totals	128551	89290	122819	82108	116941	76834

OFFICIAL VOTE OF ALABAMA—CONTINUED.

COUNTIES.	FOR STATE AUDITOR.		FOR ATTORNEY-GENERAL.		FOR SUPT. OF EDUCATION.	
	W. S. White.	W. S. Forman.	W. C. Fitts.	W. H. Smith, Jr.	J. O. Turner.	Wm. M. Wood.
Autauga	1052	520	1041	547	979	549
Baldwin	694	363	650	375	719	316
Barbour	2944	1087	2903	1079	2919	1055
Bibb	924	1202	962	1198	917	1075
Blount	1826	1699	1816	1730	1714	1705
Bullock	2797	82	2798	82	2794	76
Butler	1399	1478	1378	1457	1400	1467
Calhoun	2441	1950	2343	2.00	2463	1925
Chambers	2511	1845	2557	1846	2452	1805
Cherokee	1049	1548	1125	1488	1077	1498
Chilton	477	901	467	901	459	927
Choctaw	925	1338	959	1317	977	1310
Clarke	2149	1198	2157	1114	2163	1062
Clay	1249	1214	1200	1242	1190	1211
Cleburne	822	840	755	843	798	840
Coffee	996	1414	975	1358	987	1410
Colbert	1900	1543	1791	1554	1855	1543
Conecuh	558	1288	577	1247	583	1281
Coosa	977	1436	1021	1381	987	1396
Covington	647	814	666	797	676	786
Crenshaw	1319	1649	1325	1652	1323	1647
Cullman	800	886	786	975	796	1075
Dale	1402	1882	1359	1831	1381	1864

OFFICIAL VOTE OF ALABAMA—CONTINUED.

COUNTIES.	FOR STATE AUDITOR.		FOR ATTORNEY-GENERAL.		FOR SUPERINTENDENT OF EDUCAT'N	
	Walter S. White	William S. Forman.	William C. Fitts	William H. Smith, Jr.	John O. Turner.	William M. Wood.
Dallas	5571	100	5568	106	5551	98
DeKalb	1218	968	1196	1183	1178	1064
Elmore	1536	2446	1574	2440	1613	2363
Escambia	898	489	833	550	879	478
Etowah	1249	1376	1220	1412	1272	1338
Fayette	654	882	632	890	637	900
Franklin	766	990	765	977	748	995
Geneva	752	1234	744	1233	750	1236
Greene	1963	375	1973	372	1969	386
Hale	2971	331	2936	385	2950	381
Henry	2481	2408	2575	2397	2458	2485
Jackson	2297	1966	2285	2013	2315	1996
Jefferson	6160	4688	6103	4933	6016	4778
Lamar	1171	930	1185	914	1183	919
Lauderdale	2098	1040	2139	1005	2156	996
Lawrence	867	1362	894	1316	837	1394
Lee	2227	1618	.....	.....	2149	1679
Limestone	1704	1489	1701	1538	1613	1501
Lowndes	4110	492	4117	485	4122	462
Macon	1021	436	946	494	977	476
Madison	3846	1654	2930	1598	3889	1616
Marengo	2980	1053	2910	1136	2914	1113
Marion	1069	486	1076	489	1070	483

OFFICIAL VOTE OF ALABAMA—CONTINUED.

COUNTIES.	FOR STATE AUDITOR.		FOR STATE TREASURER.		FOR SUPT. OF EDUCATION.	
	Walter S. White.	William S. Forman.	William C. Fitts.	William H. Smith, Jr.	John O. Turner.	William M. Wood.
Marshall	1082	1502	1049	1641	1023	1600
Mobile	3940	1283	3758	1546	3951	1318
Monroe	1359	488	.....	.....	1347	503
Montgomery	4921	635	4912	628	.....	.....
Morgan	1910	1669	1861	1721	1863	1804
Perry	3342	397	3334	422	3369	396
Pickens	2053	1655	2072	1647	2062	1648
Pike	1559	1952	1548	1966	1603	1868
Randolph	1235	1174	1223	1228	1286	1153
Russell	2071	717	2034	763	2057	737
Shelby	1199	1863	1213	1850	1225	1855
St. Clair	585	1567	590	1466	628	1502
Sumter	1962	340	1934	364	1889	399
Talladega	2006	2089	2026	2083	1982	2133
Tallapoosa	1975	2121	2093	2027	2131	1974
Tuscaloosa	2246	1827	2304	1892	2232	1834
Walker	1569	687	1595	810	1624	629
Washington	479	271	484	268	479	266
Wilcox	3418	72	3420	70	3410	66
Winston	396	254	417	252	431	307
Totals	120774	79553	116780	78624	115447	78952

SCATTERING VOTE.

FOR GOVERNOR.

In St. Clair county—

W. S. Griffith	4

FOR ATTORNEY-GENERAL.

In Lee county—

John A. Bingham	1761
Geo. W. Ellis	2150

In Monroe county—

Geo. W. Ellis	1359
John A. Bingham	497

FOR TREASURER.

In Crenshaw county—

Wm. C. Fitts	1303
Wm. H. Smith	1658

In Lee county—

Wm. C. Fitts	2155
Wm. H. Smith, jr	1674

In Monroe county—

Wm. C. Fitts	1299
Wm. H. Smith, jr	553

RESULT OF ELECTION.

The speaker then proclaimed the result of election as follows:

FOR GOVERNOR.

Joseph F. Johnston	128551
Albert F. Goodwin	89290
W. S. Griffith	4

FOR SECRETARY OF STATE.

James Kirkman Jackson	122819
James A. Grimmett	82108

FOR ATTORNEY-GENERAL.

Wm. C. Fitts	116780
Wm. H. Smith, jr	78624
John A. Bingham	2258
Geo. W. Ellis	3509

FOR STATE AUDITOR.

Walter S. White	120774
Wm. A. Forman	79553

FOR STATE TREASURER.

George W. Ellis	116941
John A. Bingham	76834
Wm. C. Fitts	4757
Wm. H. Smith, jr	3885

FOR SUPERINTENDENT OF EDUCATION.

J. O. Turner	115447
Wm. M. Wood	78952

PROCLAMATION OF RESULT.

The speaker of the House of Representatives then declared that Joseph F. Johnston, James K. Jackson, Wm. C. Fitts, Walter S. White, George W. Ellis, J. O. Turner, were duly and constitutionally elected, Governor,

Secretary of State, Attorney-General, Auditor, Treasurer, and Superintendent of Education of the State of Alabama, respectively, for the term prescribed by law.

The object of the joint convention having been accomplished, the president of the senate announced that it it was dissolved, whereupon the senate returned to its chamber.

ADJOURNMENT.

At 2 o'clock P. M. on motion of Mr. Browder, the senate adjourned until 10:30 o'clock A. M. tomorrow.

FIFTH DAY.

SATURDAY, November 14, 1896.

The senate met pursuant to adjournment.

Prayer by the Rev. Mr. Atkinson of the city.

Present—

Messrs. President, Abercrombie, Bethune, Boykin, Brewer, Brooks, Browder, Brown, Buchanan, Case, Cunningham, Deens, of Covington, Grant, Hall, Hawkins, Hogue, Hollis, Hundley, Kilpatrick, Lee, Matthews, McElderry, Moody, Nolen, Pettus, Robinson, Rogers, Smith, Sowell, Thomason, Walker—31.

INTRODUCTION OF BILLS.

On the call of districts, bills were introduced, read the first time and referred to appropriate committees as follows:

By Mr. Sowell—

s. 36. To amend section 3682 of the Code of Alabama.

Judiciary;

Also, (with notice and petition, &c.)

s. 37, For the relief of Charles M. Flannigan,

Finance and taxation;

By Mr. Abercrombie, (by request)—

s. 38. To incorporate the city of Fruithurst, Corporation;

By Mr. Thomason—

s. 39. To amend section 9 of an act entitled an act to establish five additional branch agricultural experiment stations and agricultural schools, to be located in the first, fourth, fifth, sixth and ninth congressional districts, respectively in the State of Alabama, approved February 18th, 1895,

Education;

By Mr. Nolen—

s. 40. To amend section nine (9) of an act entitled an act approved February 18th, 1895, to establish five additional branch agricultural experiment stations and agricultural schools, to be located in the first, fourth, fifth, sixth and ninth congressional districts, respectively, in the State of Alabama,

Education;

By Mr. Cunningham—

s. 41. To authorize the levy and collection of a tax upon property within the city of Birmingham, Alabama, or that may be lawfully taxable therein, for the maintenance of the public schools of said city,

Education;

Also,

s. 42. To confirm the incorporation of the Birmingham Medical College, a corporation organized under the general laws of this State, to declare its powers, and to confer upon it additional rights, privileges and powers,

Public health;

Also,

s. 43. Relative to bonds, undertakings, recognizances, guarantees, and other obligations, required or permitted to be made, given, tendered or filed with surety or sureties, and to the acceptance as surety or guarantor thereupon, of companies qualified to act as such,

Judiciary;

Also, (by request)—

s. 44. To amend an act to incorporate the Southern

Mutual Fire Insurance Company, which was approved February 18th, 1895,

Corporations;

By Mr. Lee—

s. 45. To repeal a certain act, entitled an act, to incorporate the town of Alco, in the county of Escambia and State of Alabama, approved February 13th, 1889,

Municipal and county organizations;

Also,

s. 46. To repeal an act entitled an act to constitute the town of Alco, in Escambia county, Alabama, a separate school district,

Municipal and county organizations.

By Mr. Kilpatrick—

s. 47. To prevent fires getting out in the woods in Wilcox county, Alabama,

Judiciary;

Also,

s. 48. To amend an act entitled an act, "To confer additional jurisdiction upon the county court of Wilcox county, and to regulate the proceeding therein," approved Feby. 23rd, 1881,

Judiciary;

Also,

s. 49. To provide for the holding of regular jury terms of the county court of Wilcox county, Ala. when the judge of said court from sickness or otherwise fails to attend,

Judiciary;

By Mr. Case—

s. 50. To enable tenants in DeKalb county to more readily procure medical treatment for them and their families,

Public health;

By Mr. Matthews—

s. 51. To amend section 1 of an act to establish the Guin school district in Marion county,

Education;

By Mr. Smith—

s. 52. To regulate the services to be rendered by recently appointed Mobile bay or bar pilots,

Local legislation;

Also,

s. 53. To amend section 1385 of the Code of 1876, as amended by an act of the general Assembly of Alabama, approved December, 12th, 1882, entitled "an act to amend sections 1385, 1388, 1393, 1395, 1396, 1399, of the Code of Alabama, containing regulations of pilots and pilotage in the bay and harbor of Mobile," and further to amend section 1386 of the Code of Alabama of 1876, as amended by an act of the general assembly of Alabama, approved February 9th, 1895, and entitled "an act to amend section 1386 of the Code of Alabama, of 1876,

Local legislation;

Also,

s. 54. To confirm the incorporation of the Athelstan Club of Mobile, Alabama, and to amend its charter,

Corporations;

Also, (with notice),

s. 55. To confirm the incorporotion of the Fidelia Club of Mobile, Alabama, and to amend its charter,

Corporations;

By Mr. Brown—

s. 56. To amend sections nineteen (19), twenty-one (21) and thirty-two (32) of an act entitled an act to further regulate elections in the State of Alabama, approved February 21, 1893,

Privileges and elections;

Also, (with petition),

s. 57. To establish a separate school district, to be known as the Valley Grove school disrict, in Cullman, Alabama,

Education;

By Mr. Hundley—

s. 58. To authorize the mayor and aldermen of the city of Huntsville to issue bonds for the purpose of constructing sewers in said city,

Municipal and county organizations.

PETITION.

Mr. Brown presented a petition by the citizens of Winston county,

Relative to increase of public school funds, and for longer terms of public schools, which was referred to the committee on education,

RESOLUTION.

Mr. Abercrombie offered the following joint resolution, which was referred to the committee on rules:

Resoled by the senate, the house of representatives concurring, that a joint committee of two from the senate and three from the house be appointed to propose for the inauguration of Governor-elect Joseph F. Johnston; and that said committee be authorized to expend in that behalf a sum not exceeding one hundred dollars, which shall be a charge upon the general fund of the State.

MESSAGE FROM THE HOUSE.

Mr. President:

The house has adopted the house joint resolution herewith sent, raising a joint committee to make preparations for the inauguration of Governor-elect Johnston.

Also the house joint resolution herewith sent, raising a joint committee to prepare a bill to provide for the holding of a constitutional convention.

MASSEY WILSON,
Clerk.

HOUSE MESSAGES.

The resolutions just received were referred to the committee on rules.

ADJOURNMENT.

At 11 o'clock a. m. on motion of Mr. Walker the senate adjourned till 10:30 o'clock on Monday morning.

SIXTH DAY.

Monday, November 16th, 1896.

The senate met pursuant to adjournment.

Prayer by the Rev. Mr. Thompson, of the city.

Present,

Messrs. President, Abercrombie, Bethune, Boykin, Brewer, Brooks, Browder, Brown, Buchanan, Case, Cunningham, Deans of Shelby, Deens of Covington, Grant, Hall, Hawkins, Hogue, Hundley, Kilpatrick, Lee, Matthews, McElderry, Moody, Nolen, Pettus, Robinson, Rogers, Smith, Sowell, Thomason, Walker—31.

LEAVE OF ABSENCE.

Mr. Hollis was granted an indefinite leave of absence.

INTRODUCTION OF BILLS.

On the call of districts, bills were introduced, read the first time and referred to appropriate committees, as follows:

By Mr. Brown—

s. 59. To repeal an act entitled "An act to amend section 5025 of the code [of 1876], so far as the same applies to Blount county," approved February 23, 1883, and also to re-enact section 3675 of the code of Alabama, as to the county of Blount,

Local legislation;

Also,

s. 60. To render void as to certain persons all contracts by which title to personal property is retained in one not having same in his possession, unless such contract or a sworn statement thereof is filed for record in the probate office,

Judiciary;

Also,

s. 61. To require notice to be given of application for letters of administration and of guardianship in all cases before appointment of administrators or guardians, and to provide for a contest of such applications,

Judiciary;

Also,

s. 62. To make legal the sale of any land ordered sold by the probate court, in the adverse possession of third persons, and to authorize the action of ejectment to obtain possession of such land under order confirming any such sale, and to make any such order prima facie evidence of ownership and right of possession,

Judiciary;

Also,

s. 63. To amend section 2937 of the code of 1886,

Judiciary;

By Mr. Thomason—

s. 64. To amend section seven (7) of an act to preserve order at the Sims Camp Ground, in the county of Randolph, State of Alabama,

Local legislation;

By Mr. McElderry—

s. 65. To enforce proceedings supplementary to an execution against property,

Judiciary;

By Mr. Lee—

s. 66. To make valid and chargeable against the fine and forfeiture fund of Escambia county, Alabama, certain witness script or witness certificates issued by the foreman of the grand juries of Escambia county, Alabama, and have said script or witness certificates paid by the treasurer of said county in the order of their registration,

Finance and taxation;

By Mr. Brooks (by request)—

s. 67. To amend section 855 of the code so far as the same relates as to who may practice law,

Judiciary;

By Mr. Sayre—

s. 68. To regulate the filing of pleas and demurrers in the circuit courts of the counties of Lowndes, Butler, Crenshaw and Conecuh,

Judiciary;

Also,

s. 69. To require the board of revenue of Montgomery county to divide the territory now embraced in pre-

cincts 3, 4 and 17 in said county, into precincts containing not more than one thousand male persons over the age of twenty-one years,

Privileges and election;

By Mr. Case—

s. 70. To require the judge of probate of DeKalb county to keep in his office a blank book or blank tablet of mortgages; and also one of deeds in which to record a description of property; and to keep duplicates of such for sale,

Judiciary;

Also,

s. 71. To better provide for the working of the public roads of DeKalb county,

Local legislation;

By Mr. McElderry—

s. 72. For the protection of the creditors of any insolvent and failing corporation against preferences made or suffered by the directors, officers or managers of such corporation in the payment of security of debts,

Judiciary.

REPORTS OF COMMITTEES.

Bills were reported from committees, and read a second time, as follows:

By Mr. Hogue, from local legislation, favorably—

s. 52. To regulate the services to be rendered by recently appointed Mobile Bay or Bar pilots.

Also, with amendment,

s. 53. To amend section 1385 of the code of 1876, as amended by an act of the general assembly of Alabama, approved December 12th, 1882, entitled "An act to amend sections 1385, 1388, 1393, 1395, 1396, 1399, of the Code of Alabama, containing regulations of pilots and pilotage in the bay and harbor of Mobile," and further, to amend section 1386 of the Code of Alabama of 1876, as amended by an act of the general assembly of Alabama, approved February 9th, 1895, and entitled "An act to amend section 1386 of the Code of Alabama, 1876."

By Mr. Walker, from corporations, favorably—

s. 11 To incorporate the Grand Lodge of Knights of Pythias of Alabama;

Also, favorbly,

s. 30. To establish a new charter for the city of Demopolis.

MESSAGE FROM THE HOUSE.

Mr. President:

The house has adopted the house joint resolution herewith sent, providing joint rules for the government of the two houses.

And has adopted the house joint resolution herewith sent, raising a joint committee of five from the house and three from the senate, to sit during the recess, and consider the report of the code commissioner.

And has concurred in the senate joint resolution raising joint committee to investigate the indebtedness of the State. Committee on part of house: Messrs. Merrill, Smith, of Dallas, and Mitchell.

And has concurred in the joint resolution, raising a joint committee to investigate and report on the advisability of increasing the public school fund.

Committee on part of house: Messrs. Cofer, Meador and Barnes.

MASSEY WILSON,
Clerk.

HOUSE MESSAGE.

The house joint resolution on joint rules, just received, was referred to the committee on rules.

Also,

The house joint resolution, raising a joint committee to sit during recess and consider the report of the code commissioner, was referred to the committee on rules.

RESOLUTIONS.

Mr. Abercrombie offered the following joint resolution, which was referred to the committee on rules:

Resolved, by the senate, the house of representatives concur-

ring, That Dr. J. L. M. Curry be invited to address a joint meeting of the house and senate on the subject of public education, on the 2nd day of December, 1896; and that a committee of one from the senate and two from the house be appointed to extend the invitation.

Mr. Brown offered the following joint resolution which was, also, referred to the committee on rules:

Whereas, the capital city of Alabama is soon to be honored with a visit from that distinguished orator, statesman and patriot, Robert L. Taylor, governor-elect of the great State of Tennessee, therefore,

Be it resolved by the senate, the house concurring, That a committee of two on the part of the senate and three from the house be appointed to invite Governor Taylor to address the general assembly in the hall of the house of representatives, and to arrange a time for such address, if he shall accept this invitation.

REPORT OF THE COMMITTEE ON RULES.

Mr. Brewer from the committee on rules reported favorably the house joint resolution, as follows:

Resolved by the house of representatives, the senate concurring, That the following rules be and they are hereby adopted as the

JOINT RULES OF THE TWO HOUSES OF THE GENERAL ASSEMBLY OF ALABAMA.

1. Upon the reception of a message from either house notifying the other of the originating and passing of bills, the secretary or clerk, as the case may be, shall immediately after the message is read, proceed to read the bills by their titles, unless the reading be called for by some member, in which event the bill shall be read at length, and it shall be ordered forthwith to a second reading, or referred to a committee. The house or senate, as the case may be shall then proceed with the business upon which it was engaged when the message was received.

2. When the house or senate bills are signed by the speaker or president of the senate, thereupon the clerk or secretary, as the case may be, shall notify the other house and request the signature of the presiding officer to the same; and as soon as the message is read, the presiding officer shall immediately sign the bills in the presence of the house or senate, as prescribed by the constitution.

2. That no local or special bill shall be introduced into either house unless the member who introduces it discloses at the time the fact that the notice required by the constitution and laws has been given, and submits the proof thereof with the bill.

4. No bill shall be introduced into either house for the creation of any corporation, not educational, eleemoosenary or religious in its purposes, by any special act of the general assembly of Alabama unless a receipt from the treasurer of the State, evidencing the payment of the fee or license, required by law, accompanies such bill.

5. Bills affecting individuals or private corporations are local or special bills within the meaning of the preceding rule 3, but said rule does not apply to bills relating to public or educational institutions of, or in this State, or to industrial, mining, immigration or manufacturing corporations, or interests, or to corporations for constructing canals, or improving navigable rivers and harbors of this State; nor to bills which apply to all persons within the territorial limits to be affected thereby, and general in their application to the class or locality.

6. All bills for amendment to any section or part of the code, in which the subject matter is stated in the title by reference to the section or other sub-division of the code, must contain on the back of the bill, immediately below the title, a brief statement of the general subject to which such section or sub-division relates.

And the report was concurred in and the joint rules were ordered to be printed and bound with the rules of the senate.

Also, favorably the house joint resolution, raising a

joint committee to make necessary and appropriate preparations for the approaching inauguration of Governor-elect Johnston.

The joint resolution was concurred in, and the president announced as the committee on the part of the senate:

Messrs. Abercrombie and Sowell.

ADJOURNMENT.

At 11:05 on motion of Mr. Pettus the senate adjourned till to-morrow morning at 10:30 o'clock.

SEVENTH DAY.

TUESDAY, November 17th, 1896.

The senate met pursuant to adjournment.

Prayer by Rev. Mr. Johnson of the city.

Present,

Messrs. President, Abercrombie, Bethune, Boykin, Brewer, Brooks, Browder, Brown, Buchanan, Case, Cunningham, Day, Deans of Shelby, Deens of Covington, Grant, Hall, Hawkins, Hogue, Hundley, Kilpatrick, Lee, Matthews, McElderry, Moody, Nolen, Robinson, Rogers, Smith, Sowell, Thomason, Walker—31.

Leave of absence was granted to Mr. Buchanan.

The journals of yesterday was read and approved.

CALL OF DISTRICTS.

On the call of the districts, bills were introduced, read and referred to appropriate committees, as follows:

By Mr. Cunningham—

s. 73. To incorporate the Montezuma University of Bessemer, Alabama,

Corporations;

By Mr. Hawkins—

s. 74. Joint resolution, authorizing the employment of one messenger and two servants by the senate.

Rules;

By Mr. Case—

s. 75. To amend an act entitled an act, approved February 21, 1893, "to authorize the probate judge of DeKalb, Limestone and Crenshaw counties, to call a special school board of education to select a uniform series of standard school books to be used in the public schools of DeKalb, Limestone, and Crenshaw counties, Alabama,

Education;

By Mr. Hogue—

s. 76. To fix and regulate the salaries and fees of certain officials of the State,

Finance and taxation;

By Mr. Robinson—

s. 77. To incorporate St. Clair College,

Education;

RESOLUTIONS.

Mr. Walker offered the following resolution, which was referred to the committee on rules:

Resolved, That the committee on the judiciary shall be, and they are hereby, authorized to employ a clerk during the remainder of the session, and that the committee on finance and taxation in conjunction with the committee on corporations be also authorized to employ a clerk during the remainder of the session. Said clerks to be paid the sum of two dollars and fifty cents a day.

REPORTS FROM COMMITTEES.

Bills were reported from committees and read a second time, as follows:

By Mr. Kilpatrick from judiciary, reported favorably—

s. 19. To amend an act to bar certain claims of witnesses registered against the fine and forfeiture fund of Bullock county, approved February 28th, 1889;

Also,

s. 36. To amend section 3682 of the Code of Alabama;

Also,

s. 47. To prevent fires getting out in the woods in Wilcox county, Alabama;

Also,

s. 48. To amend an act entitled an act "to confer additional jurisdiction upon the county court of Wilcox county, and to regulate the proceedings therein," approved Feb. 23rd, 1887;

By Mr. Abercrombie from education, favorably—

s. 41. To authorize the levy and collection of a tax upon property within the city of Birmingham, Alabama, or that may be lawfully taxable therein, for the maintenance of the public schools of said city;

By Mr. Browder from public health, favorably—

s. 42. To confirm the incorporation of the Birmingham Medical College, a corporation organized under the general laws of this State, to declare its powers, and to confer upon it additional rights, privileges and powers.

BILL RECOMMITTED.

s. 12. On motion of Mr. Case the senate bill, s. 12, was recalled from the committee on local legislation, and referred to the committee on finance and taxation.

REPORT FROM COMMITTEE ON RULES.

Mr. Sayre, Mr. Brewer presiding, from the committee on rules, reported a substitute for the resolution heretofore offered, relative to the employment of a doorkeeper for the gallery of the senate, which substitute is as follows:

Resolved by the senate, the house concurring, That the president of the senate be, and he is hereby authorized to appoint a janitor of the galary of the senate during the remainder of the session at the rate of two dollars ($2) a day.

The substitute was adopted and the resolution was adopted.

Also, reported favorably, Mr. Walker's resolution providing a for clerk of judiciary committee, and to the committee on finance and taxation and committee on corporations, and fixing their compensation,

Which was adopted.

MESSAGE FROM THE HOUSE.

Mr. President:

The house has originated and passed the following bills:

H. 29. To authorize the corporate authorities of the city of Decatur to assess, levy and collect a special tax for fire protection;

H. 33. To amend section 2524 of the code;

H. 44. To incorporate the Land Bank and Farmers' Mutual Aid League of America.

MASSEY WILSON,
Clerk.

HOUSE MESSAGES.

The house bills, set out in the foregoing house message, were severally read once and referred to appropriate committees, as follows:

H. 29. To finance and taxation;

H. 33. To privileges and elections;

H. 44. To corporations.

BILLS ON THIRD READING.

The bill,

S. 52. To regulate the services to be rendered by recently appointed Mobile Bay or Bar pilots,

Was read the third time and passed—yeas 26, nays 0.

Yeas:

Messrs. Abercrombie, Bethune, Boykin, Brewer, Brooks, Browder, Brown, Buchanan, Case, Cunningham, Day, Deans of Shelby, Deens of Covington, Hall, Hogue, Kilpatrick, Lee, Matthews, McElderry, Moody, Nolen, Robinson, Smith, Sowell, Thomason, Walker —26.

The bill,

s. 53. To amend section 1385 of the code of 1876, as amended by an act of the general assembly of Alabama, approved December 12th, 1882, entitled "An act to amend sections 1385, 1388, 1393, 1395, 1396, 1399, of the code of Alabama, containing regulations of pilots and pilotage in the bay and harbor of Mobile," and further, to amend section 1386 of the code of Alabama of 1876, as amended by an act of the general assembly of Alabama, approved February 9th, 1895, and entitled "an act to amend section 1386 of the code of Alabama, 1876,"

Was taken up. The amendment reported by the committee as follows:

Amend the title by adding after the words, "section 1386 of the code of Alabama of 1876," the words, "relating to certificates of appointment and oaths of pilots,"

Was adopted.

The bill was read a third time.

Mr. Rogers moved to reconsider the vote by which the bill was ordered to the third reading. Lost.

The bill passed—yeas 26, nays 1.

Yeas:

Messrs. President, Abercrombie, Bethune, Boykin, Browder, Brown, Buchanan, Case, Cunningham, Day, Deans of Shelby, Deens of Covington, Grant, Hall, Hogue, Hundley, Kilpatrick, Lee, McElderry, Moody, Nolen, Robinson, Smith, Sowell, Thomason, Walker—26.

Mr. Rogers voted no.

The bill,

s. 11. To incorporate the Grand Lodge of Knights of Pythias of Alabama,

Was read the third time and passed—yeas 28, nays 0.

Yeas:

Messrs. President, Abercrombie, Bethune, Boykin, Brewer, Brooks, Brown, Buchanan, Case, Cunningham, Day, Deens of Covington, Grant, Hall, Hawkins, Hogue, Hundley, Lee, Matthews, McElderry, Moody, Nolen, Robinson, Rogers, Smith, Sowell, Thomason, Walker —28.

The bill,

s. 30. To establish a new charter for the city of Demopolis,

Was read the third time and passed—yeas 28, nays 0.

Yeas:

Messrs. President, Abercrombie, Bethune, Boykin, Brewer, Brooks, Brown, Buchanan, Case, Day, Deans of Shelby, Deens of Covington, Grant, Hall, Hawkins, Hogue, Hundley, Lee, Matthews, McElderry, Moody, Nolen, Robinson, Rogers, Smith, Sowell, Thomason, Walker—28.

REPORT FROM THE COMMITTEE ON RULES.

Mr. Brewer, from the committee on rules, reported favorably,

Mr. Brown's joint resolution raising a joint committee to invite the Hon. Robert L. Taylor, governor-elect of Tennessee, to address the two houses of the general assembly.

The resolution was adopted.

Also, from same committee, reported favorably,

Mr. Abercrombie's joint resolution raising a joint committee to invite Dr. J. L. M. Curry to address the two houses of the general assembly on December 2d, 1896, on the subject of education.

Mr. Moody offered the following amendment, which was adopted:

That James H. Fitts, of Tuscaloosa, is requested to read before the general assembly a paper on the legislation of Alabama pertaining to her State University, and that the committee herein appointed, in connection with Mr. Fitts, fix the time and make the arrangements for such reading.

And the resolution, as amended, was adopted.

ADJOURNMENT.

At 11:50, on motion of Mr. Sowell, the senate adjourned till 10:30 o'clock to-morrow morning.

EIGHTH DAY.

WEDNESDAY, November 18th, 1896.

The senate met pursuant to adjournment.

Prayer by the Rev. Mr. Johnson of the city.

Present,

Messrs. President, Abercrombie, Bethune, Boykin, Brewer, Brooks, Browder, Brown, Case, Cunningham, Day, Deans of Shelby, Deens of Covington, Grant, Hall, Hawkins, Hogue, Hundley, Kilpatrick, Lee, Matthews, McElderry, Moody, Nolen, Robinson, Rogers, Smith, Sowell, Thomason and Walker—30.

The journal of yesterday was read and appproved.

ANNOUNCEMENT OF SPECIAL COMMITTEES.

The president of the senate announced the committee on the part of the senate under Mr. Brown's joint resolution inviting Governor-elect Robert L. Taylor, of Tennessee, to address the two houses of the general assembly:

Messrs. Brown and Moody,

And, also, as the committee on the part of the senate under Mr. Abercrombie's joint resolution, inviting Dr. J. L. M. Curry and Mr. Jas. H. Fitts to address the two houses of the general assembly,

Mr. Abercrombie.

LEAVES of ABSENCE.

Messrs. Pettus and Buchanan were granted indefinite leave of absence on account of sickness, and to Mr. Walker for to-morrow and next day.

INTRODUCTION OF BILLS.

On the call of the districts bills were introduced, read, and referred to appropriate committees as follows:

By Mr. Sowell—

s. 78. To authorize and empower the mayor and council of the town of Athens to issue and sell bonds of said town to an amount not exceeding fifteen thousand dollars, falling due not more than thirty years from their date, bearing not exceeding six per cent interest payable semi-annually, for the purpose of establishing and operating a first-class system of water-works in and for said town and its inhabitants,

Municipal and county organizations;

By Mr. Deans of Shelby—

s. 79. To regulate, fix and prescribe the ex-officio compensation of the sheriff of Elmore county,

Finance and taxation;

By Mr. Case—

s. 80. To protect merchants in this State in buying shoes of an agent, salesman or firm, against fraud; and also purchasers in buying shoes from retail merchants against fraud,

Judiciary;

By Mr. Sowell—

s. 81. To fix and regulate the ex-officio fees of the clerk of the circuit court of Limestone county,

Judiciary;

By Mr. Brown—

s. j. r. 1. Proposing amendments to sections three and nine of article four of the constitution of the State of Alabama, relating to the election and term of office of senators and representatives in the general assembly; and also to section five of article five, relating to the term of office of the executive officers of the State; and also to sections fifteen, twenty-five and twenty-seven of article six, relating to the election and term of office of the judicial officers of the State,

Rules.

REPORTS OF COMMITTEES.

Bills were reported from committees and read a second time as follows:

By Mr. McElderry from privileges and elections, favorably—

s. 69. To require the board of revenue of Montgomery county to divide the territory now embraced in precincts 3, 4 and 17 in said county, into precincts containing not more than one thousand male persons over the age of twenty-one years,

By Mr. Abercrombie from education, favorably—

s. 2. To establish a separate school district to be known as the Flat Rock district, in Winston and Cullman counties,

Also,

s. 57. To establish a separate school district, to be known as the Valley Grove school district, in Cullman county, Alabama.

Also,

s. 77. To incorporate St. Clair college.

MESSAGE FROM THE HOUSE.

Mr. President:

The house has originated and passed the following bills:

H. 12. To incorporate the town of Hamilton in the county of Marion and State of Alabama;

H. 25. To incorporate the Grand Lodge of Knights of Pythias of Alabama;

H. 49. To revive judgments and decrees against administrators *de bonis non* in cases where such judgments or decrees have been rendered against administrators in chief and such administrators in chief have died, been removed or have resigned before the payment of such judgment or decree;

H. 52. To repeal an act entitled, an act to regulate the issue of garnishments and the proceedings thereon in the counties of Jefferson, Dallas, Calhoun, Escambia and Cleburne, approved February 21, 1893, so far as relates to Calhoun and Cleburne;

H. 69. To establish a separate school district and define its boundaries in Etowah county;

H. 112. To incorporate the Monroe Male and Female Institute;

H. 38. To change the time of the holding of the chancery courts in the northwestern chancery division, as to

the counties of Blount, Walker and Winston, Fayette and Tuscaloosa;

H. 36. To amend an act entitled an act to amend section 3588 of the Code, approved February 18, 1895;

H. 35. To amend section 3262 of the Code;

H. 43. To amend section 751 of the Code;

H. 48. To regulate the summoning of witnesees in criminal cases in the circuit court, and in the county court of Bibb county.

H. 77. To provide for the registration and payment of the fees of State's witnesses before the grand juries in cases where the defendant is not arrested within three years from date of the indictment, and for the payment into the fine and forfeiture fund of said fees if subsequently collected;

H. 103. To provide for the compensation of the county solicitor for Walker county.

MASSEY WILSON, Clerk.

HOUSE MESSAGES.

The house bills in the foregoing house message were severally read once and referred to appropriate committees, as follows:

H. 45, 38, 36, 35, 43, 48, 103, to judiciary;

H. 24, to corporations;

H. 12, to municipal and county organizations;

H. 52, to local legislations;

H. 66, 112, to education;

H. 77, to penitentiary.

ROPORT OF COMMITTEE ON RULES.

Mr. Hogue, from the committee on rules, submitted a favorable report on

The house joint resolution, raising a joint committee to frame a bill, calling a constitutional convention.

On motion of Mr. Moody, the further consideration of the report was postponed until Friday next.

BILLS ON THIRD READING.

The bill,

s. 19. To amend an act to bar certain claims of witnesses registered against the fine and forfeiture fund of Bullock county, approved February 28, 1889,

Was read a third time and passed—yeas 29, nays 0.

Yeas—Messrs. President, Abercrombie, Bethune, Boykin, Brewer, Brooks, Browder, Brown, Case, Cunningham, Day, Deens of Covington, Grant, Hall, Hawkins, Hogue, Hundley, Kilpatrick, Lee, Matthews, McElderry, Moody, Nolen, Robinson, Rogers, Smith, Sowell, Thomason, Walker—29.

The bill,

s. 47. To prevent fires getting out in the woods of Wilcox county, Alabama,

Was read a third time and passed—yeas 29, nays 0.

Yeas—Messrs. President, Abercrombie, Bethune, Boykin, Brewer, Brooks, Browder, Brown, Case, Cunningham, Day, Deans of Shelby, Deens of Covington, Grant, Hall, Hawkins, Hogue, Hundley, Kilpatrick, Lee, Matthews, McElderry, Moody, Nolen, Robinson, Smith, Sowell, Thomason, Walker—29.

The bill,

s. 48. To amend an act entitled an act "to confer additional jurisdiction upon the county court of Wilcox county, and to regulate the proceedings therein," approved Feb. 23d, 1881,

Was read a third time and passed - yeas 26, nays 0.

Yeas—Messrs. Abercrombie, Bethune, Boykin, Brewer, Brooks, Browder, Brown, Cunningham, Day, Deens of Covington, Grant, Hall, Hawkins, Hogue, Hundley, Kilpatrick, Lee, Matthews, McElderry, Moody, Nolen, Robinson, Smith, Sowell, Thomason, Walker—26.

The bill,

s. 41. To authorize the levy and collection of a tax upon property within the city of Birmingham, Alabama, or that may be lawfully taxable therein, for the maintenance of the public schools of said city,

Was read the third time.

On motion of Mr. Kilpatrick, the vote by which the bill was ordered to the third reading was reconsidered, and, on his motion, the bill was referred to the judiciary committee.

The bill,

s. 42. To confirm the incorporation of the Birmingham Medical College, a corporation organized under the general laws of this State, to declare its powers, and to confer upon it additional rights, privileges and powers,

Was read a third time and passed—yeas 26, nays 0.

Yeas:

Messrs. President, Abercrombie, Bethune, Boykin, Brewer, Brooks, Browder, Brown, Cunningham, Day, Deens of Covington, Grant, Hall, Hawkins, Hogue, Hundley, Kilpatrick, Lee, Matthews, McElderry, Moody, Robinson, Smith, Sowell, Thomason, Walker—26.

ADJOURNMENT.

At 12:20 o'clock p. m., on motion of Mr. Abercrombie, the senate adjourned till 10:30 o'clock to-morrow morning.

NINTH DAY.

THURSDAY, Nov. 19, 1896.

Senate met pursuant to adjournment.

Prayer by Rev. Mr. Johnston of the city.

Present,

Messrs. President, Abercrombie, Bethune, Boykin, Brewer, Brooks, Browder, Brown, Case, Cunningham, Day, Deens of Shelby, Deens of Covington, Grant, Hall, Hawkins, Hogue, Hundley, Kilpatrick, Lee, Matthews, McElderry, Moody, Nolen, Robinson, Smith, Sowell, Thomason, Walker—29.

INTRODUCTION OF BILLS.

On the call of the districts, bills were introduced, read and referred to appropriate committees, as follows:

By Mr. Smith—

s. 82. To amend section 746 of the Code of Alabama of 1886,

Judiciary;

Also,

s. 83. To enable the register in chancery to collect his costs where bills have been filed for divorce,

Judiciary;

Also,

s. 84. To secure the costs in the court of chancery in this State where bills are filed for divorce,

Judiciary;

By Mr. Boykin—

s. 85. To autorize the court of county commissioners of Lee county, Alabama, to issue and sell bonds of said county to an amount not exceeding $25,000 for the purpose of building a new court house for said county,

Judiciary;

By Mr. Case—

s. 86. To provide for the election of the railroad commissioners of Alabama,

Commerce and common carriers;

By Mr. Smith—

s. 87. To ratify and confirm the organization of the Mobile and Birmingham Railroad Company, and to declare the rights, powers, franchises and privileges of said Mobile and Birmingham Railroad Company,

Commerce and common carriers;

By Mr. Sayre—

s. 88. To authorize the governor to sell and convey a certain lot or parcel of land situated near Montgomery, Alabama, belonging to the State,

Corporations;

Also,

s. 89. To authorize the city council of Montgomery to issue bonds for the purpose of borrowing money to pave or otherwise improve the streets of the city of Montgomery,

Corporations;

Also,

s. 90. To amend sections 1 and 7 of an act entitled an act to provide a system of water works for the city of Montgomery, approved the 26th day of January, 1891,

Corporations;

Also,

s. 91. To amend sections 1, 9, 21, 43, 50, 72, 92 and 98 of "an act to establish a new charter for the city of Montgomery," approved February 21,1893; and sections 1, 2, 3, 4, 5, 12, 17, 20, 22, 25, 30, 31, 32, 35 and 37 of "an act to amend sections 3, 5, 6, 7, 10, 11, 12, 15, 17, 18, 24, 27, 35, 37, 38, 42, 52, 53, 54, 55, 57, 59, 60, 61, 62, 65, 66, 71, 73, 77, 78, 79, 81, 83, 84, 85 and 86, and to repeal section 82 of an act to establish a new charter for the city of Montgomery, approved February 21, 1893," approved February 18th, 1895,

Corporations;

By Mr. Brown, (by request)

To authorize the location at any point within the fifth congressional district of the fifth district agricultural experiment station and agricultural school, authorized by the act approved February 18, 1895, establishing five additional branch agricultural experiment stations and agricultural schools,

Agriculture.

MESSAGE FROM THE HOUSE.

Mr. President:

The house has originated and passed the following bill:

H. 58. To establish a separate school district in Clarke county to be known as Fort Madison school district;

H. 102. To amend an act entitled an act to incorporate the city; of Tuskaloosa, approved March 12, 1873, by the addition of section 103, authorizing the mayor and aldermen of the city of Tuscaloosa to require certain male inhabitants thereof to work the streets of said city, to adopt ordinances to carry out the powers so granted and to punish all persons failing to perform such work;

H. 113. To amend section 4242 of the Code of 1886 of Alabama;

And has concurred in the senate joint resolution raising a joint committee to invite Hon. Robert L. Taylor,

governor-elect of Tennessee, to address the general assembly.

Committee on part of the house, Messrs. Sheldon, Hunt and Brandon.

And has also concurred in the senate joint resolution raising a joint committee to invite Dr. J. L. M. Curry to address the two houses of the general assembly on the subject of education, and to invite Mr. James H. Fitts, of Tuscaloosa, to read a paper on the legislation of Alabama pertaining to the State University.

Committee on part of the house, Messrs. Stansel and Browne of Talladega.

The speaker has appointed as the commtttee on part of the house raised under the house joint resolution to make preparations for the inauguration of governor-elect Johnson, Messrs. Lloyd, Altman and Burns.

And has passed and ordered forthwith to the senate without engrossment,

H. 201. To establish a new charter for the city of Huntsville.

MASSEY WILSON, Clerk.

HOUSE MESSAGES.

The house bills in the foregoing house message were severally read once and referred to appropriate committees, as follows:

H. 58, to education;
H. 102, to corporations;
H. 113, to judiciary;
H. 201, to municipal and county organizations.

REPORTS OF COMMITTEES.

Bills were reported from committees and read a second time as follows:

By Mr. Brewer, from finance and taxation, favorably,

S. 27. To refund to Henrietta Morton thirty dollars paid into the State treasury by her, for the purchase of certain lands bid in by the State for taxes, and subsequently found to have been erroneously sold;

Also,

s. 76. To fix and regulate the salaries and fees of certain officials of the State;

By Mr. Walker, from corporations, favorably, with mendment,

s. 44. To amend an act to incorporate the Southern Mutual Fire Insurance Company, which was approved February 18th, 1895;

Also, favorably,

s. 73. . To incorporate the Montezuma University of Bessemer, Alabama;

Also,

H. 25. To incorporate the Grand Lodge of Knights of Pythias of Alabama;

By Mr. Hogue, from local legislation favorably—

s. 59. To repeal an act entitled "An act to amend section 5025 of the code [of 1876], so far as the same applies to Blount county," approved February 23, 1883, and also to re-enact section 3675 of the code of Alabama, as to the county of Blount;

Also,

s. 64. To amend section seven (7) of an act to preserve order at the Sims Camp Ground, in the county of Randolph, State of Alabama;

Also,

s. 71. To better provide for the working of the public roads of DeKalb county;

Also,

H. 52. To repeal an act entitled an act to regulate the issue of garnishments and the proceedings thereon in the counties of Jefferson, Dallas, Calhoun, Escambia and Cleburne, approved February 21st, 1893, so far as relates to Calhoun and Cleburne;

By Mr. Abercrombie, from education, favorably, with substitute—

s. 40. To amend section nine (9) of an act entitled an act approved February 18th, 1895, to establish five additional branch agricultural experiment stations and agricultural schools, to be located in the first, fourth, fifth, sixth and ninth

congressional districts, respectively, in the State of Alabama;

Also, with substitute,

s. 75. To amend an act entitled an act, approved February 21, 1893, "To authorize the probate judge of DeKalb, Limestone, and Crenshaw counties to call a special school board of education to select a uniform series of standard school books, to be used in the public school of DeKalb, Limestone and Crenshaw counties, Alabama;"

Also, with amendment,

H. 66. To establish a separate school district and define its boundaries in Etowah county;

Also, favorably,

H. 112. To incorporate the Monroe Male and Female Institute;

Also, with substitute,

s. 51. To amend section 1 of an act to establish the Guin school district in Marion county;

Also, adversely,

s. 39. To amend section 9 of an act entitled an act to establish five additional branch agricultural experiment stations and agricultural schools, to be located in the first, fourth, fifth, sixth, and ninth congressional districts, respectively, in the State of Alabama, approved February 18th, 1895;

By Mr. Kilbatrick, from municipal and county organizations, favorably, with amendment—

s. 1. To incorporate the town of Joppa in the county of Cullman and State of Alabama;

Also, with amendment,

s. 45. To repeal a certain act, entitled an act to incorporate the town of Alco, in the county of Escambia, and State of Alabama, approved February 13th, 1889;

Also, favorably,

s. 46. To repeal an act entitled an act to constitute the town of Alco, in Escambia county, Alabama, a separate school district;

Also, favorably,

s. 58. To authorize the mayor and aldermen of the city of Huntsville to issue bonds for the purpose of constructing sewers in said city;

Also, without recommendation,

s. 15. To establish a new charter for the city of Huntsville.

BILLS ON THIRD READING.

The bill,

s. 36. To amend section 3682 of the code of Alabama,

Was taken up.

On motion of Mr. Sowell, it was laid on the table.

The bill,

s. 69. To require the board of revenue of Montgomery county to divide the territory now embraced in precincts 3, 4 and 17, in said county, into precincts containing not more than one thousand male persons over the age of twenty-one years,

Was read a third time and passed—yeas 26, nays 0.

Yeas:

Messrs. President, Abercrombie, Bethune, Boykin, Brewer, Brooks, Browder, Brown, Case, Cunningham, Day, Deans of Shelby, Deens of Covington, Grant, Hall, Hawkins, Hogue, Hundley, Kilpatrick, Matthews, McElderry, Robinson, Smith, Sowell, Thomason, Walker—26.

The bill,

s. 2. To establish a separate school district to be known as the Flat Rock district, in Winston and Cullman counties,

Was read a third time and passed—yeas 28, nays 0.

Yeas:

Messrs. President, Abercrombie, Bethune, Boykin, Brewer, Brooks, Browder, Brown, Case, Cunningham, Day, Deens of Covington, Grant, Hall, Hawkins, Hogue, Hundley, Kilpatrick, Matthews, McElderry, Moody, Nolen, Robinson, Rogers, Smith, Sowell, Thomason, Walker—28.

The bill,

s. 57. To establish a separate school district, to be known as the Valley Grove school disrict, in Cullman, county, Alabama,

Was read a third time and passed—yeas 25, nays 0.

Yeas:

Messrs. President, Abercrombie, Bethune, Boykin, Brooks, Browder, Brown, Case, Cunningham, Day, Deans of Shelby, Deens of Covington, Hall, Hawkins, Hogue, Kilpatrick, Matthews, McElderry, Moody, Nolen, Robinson, Smith, Sowell, Thomason, Walker—25.

The bill,

s. 77. To incorporate St. Clair college,

Was read a third time and passed—yeas 28, nays 0.

Yeas:

Messrs. President, Abercrombie, Bethune, Boykin, Brewer, Brooks, Browder, Brown, Case, Cunningham, Day, Deans of Shelby, Deens of Covington, Grant, Hall, Hawkins, Hogue, Hundley, Kilpatrick, Matthews, McElderry, Moody, Nolen, Robinson, Smith, Sowell, Thomason, Walker—28.

RECESS.

The senate took an informal recess.

The president called the senate to order.

REPORT OF COMMITTEE ON RULES.

Mr. Sayre, as chairman of the committee on rules, Mr. Brewer presiding, reported a substitute for the house joint resolution, raising a joint committee consisting of three senators and five representatives to examine the report of commissioner appointed to revise and codify the statutes of this State, authorizing said committee to sit during the recess of the general assembly, as follows:

Be it resolved by the house of representatives, the senate concurring, That a joint committee consisting of three senators and five representatives be appointed to examine the report of the commissioner appointed to revise and codify the statutes of the State, and such committee shall have authority to sit during the recess of the general assembly, but each member of the committee shall receive his per diem only for the days he shall actually serve on such committee. Said committee shall report not later than the second week after the recess, and shall

select a clerk who shall receive the same per diem as the members of the committee.

Mr. Hundley offered the following amendment to the substitute:

To fix the compensation of the clerk of the committee at $2.50 per day, while employed.

Mr. Cunningham offered the following amendment in lieu of Mr. Hundley's amendment:

"Who shall employ a clerk at such salary as they may determine, provided said salary does not exceed four dollars per day,"

Which was adopted, and the substitute, as amended, was adopted, and the resolution was concurred in.

MESSAGE FROM THE GOVERNOR.

STATE OF ALABAMA, EXECUTIVE DEPARTMENT,
OFFICE OF THE GOVERNOR,
MONTGOMERY, November 19th, 1896.

Mr. President:

I am directed by the governor to communicate to the senate a message in writing.

R. G. BANKS,
Recording Secretary.

The message was read as follows:

STATE OF ALABAMA, EXECUTIVE DEPARTMENT,
OFFICE OF THE GOVERNOR,
MONTGOMERY, November 19th, 1896.

Gentlemen of the General Assembly:

In accordance with the provisions of an act approved December 12th, 1892, "providing for the partition of lands acquired by the State of Alabama from the United States under the contract with John H. Caldwell," said partition has been made, and a full report thereof is hereby submitted to you.

WM. C. OATES,
Governor.

On motion of Mr. Sayre, the message and accompany-

ing papers were referred to the committee on finance and taxation.

ADJOURNMENT.

At 12:05 P. M., on motion of Mr. Hundley, the senate adjourned until to-morrow morning at 10:30 o'clock.

TENTH DAY.

Friday, November 20th, 1896.

The senate met pursuant to adjournment.
Prayer by the Rev. Mr. Johnson, of the city.
The journal of yesterday was read and approved.
Present,
Messrs. President, Abercrombie, Bethune, Brewer, Brooks, Browder, Brown, Case, Cunningham, Deans of Shelby, Deens of Covington, Grant, Hall, Hawkins, Hogue, Hundley, Kilpatrick, Lee, Matthews, McElderry, Moody, Nolen, Pettus, Robinson, Smith, Sowell, Thomason, Walker—28.

LEAVE OF ABSENCE.

Leave of absence was granted to Messrs. Bethune and Walker for to-morrow, and to Mr. Hawkins for to-morrow and Monday till 12 o'clock m.

INTRODUCTION OF BILLS.

On the call of the districts bills were introduced, read a first time and referred to appropriate committees as follows:

By Mr. Matthews—
s. 93. To amend section 3685 of the code,
Judiciary:
By Mr. Case—
s. 94. To amend section 1754 of the civil code of 1886,

Judiciary;

By Mr. Hundley—

s. 95. To repeal an act entitled "and act to further regulate elections in the State of Alabama," approved February 21st, 1893, and to repeal an act entitled "an act to amend section 5, to repeal section 35 and section 36 and to add section 49 to an act entitled an act to further regulate elections in the State of Alabama", approved February 21st, 1893,

Privileges and elections;

By Mr. Brewer—

s. 96. For the protection of the State capitol and the grounds around it,

Judiciary;

By Mr. McElderry—

s. 97. To regulate the use of the great seal of the State,

Finance and taxation;

By Mr. Kilpatrick—

s. 98. For the relief of L. W. McRae of Washington county,

Finance and taxation.

RESOLUTION.

Mr. Kilpatrick offered the following resolution which was referred to the committee on rules:

Resolved by the senate, That the judiciary committee be and is authorized to employ a clerk who shall be paid four dollars per day.

MESSAGE FROM THE HOUSE.

Mr. President:

The house has originated and passed the following bills:

H. 6. To exempt township trustees of public schools in the counties of Fayette, Colbert, Lauderdale, Tallapoosa, Morgan, Bullock, Randolph, Elmore, Pickens, Marion and Baldwin, from poll tax and public road duty;

H. 83. To require members of the court of county commissioners in Madison county to give bond for the faithful performance of their official duties;

H. 86. To fix the compensation of the members of the board of revenue and road commissioners for Mobile county;

H. 95. To amend an act entitled an act to fix the times and regulate the holding of the courts in the eighth judicial circuit of the State of Alabama, approved Feb. 6th, 1895;

H. 78. To confirm the incorporation of the "Jones Valley club."

H. 213. To levy a license tax, State and county, on all peddlers of medicines drugs or articles of like character in the counties of Macon, Jefferson, Calhoun, Autauga, Bullock, Tallapoosa, Marengo, Monroe, Lee, Talladega, Clarke, Montgomery, Coffee, Barbour, Morgan, DeKalb, Wilcox, Elmore, Dallas, Sumter, Tuscaloosa, Russell, Chambers and Greene.

H. 131. To amend section four (4) of an act to incorporate the Tuskeegee Normal & Industrial Institue and to amend an act to amend an act to establish a Normal school for colored teachers at Tuskegee Alabama, approved December 19th, 1892;

H. 175. To amend section 2071 of the code of Alabama;

H. 182. To make all fines assessed upon conviction for misdemeanors in Morgan county, Alabama, payable in money;

H. 187. To amend an act, entitled and act to incorporate the city of Tuscaloosa, approved March 12th, 1873, by the addition of section 104, authorizing the mayor and aldermen of the city of Tuscaloosa to require railroad companies operating railroads over the public streets of said city to keep electric lights, or lights of equal power, at all points where such railroads cross the public streets of said city of Tuscaloosa;

H. 200. For the preservation and protection of the quail commonly called partridge, in the county of Hale.

MASSEY WILSON, Clerk.

HOUSE MESSAGES.

The house bills in the foregoing house messages were

severally read once and referred to appropriate committees as follows:

H. 83, 95, 78, 175, 182, 187, to judiciary;
H. 6, to education;
H. 86, 200, to local legislation;
H. 213, to finance and taxation.

REPORT FROM THE COMMITTEE ON RULES.

Mr. Brewer, from the committee on rules, reported favorably—

s. 74. Senate joint resolution, authorizing the employment of one messenger and two servants by the senate.

The report was concurred in and the joint resolution adopted.

It was ordered by the senate, that the resolution be sent to the house forthwith, without engrossment.

REPORTS OF COMMITTEES.

Bills were reported from committees and read a second time as follows:

By Mr. Kilpatrick from judiciary, favorably—

s. 63. To amend section 2937 of the code of 1886;

Also,

s. 10. To repeal an act entitled an act to amend an act to establish a city court for the county of Talladega, approved February 18, 1895, and to provide for the disposition of all causes pending in said court, for the issuance of process on judgments and decrees in said court, for the issuance on process on indictments in said court, and for the transfer of all dockets, papers and books, relating to cases in said court, to the circuit and chancery court of Talladega county, respectively, and to provide for signing of bills of exceptions, and appeals to the supreme court from judgment and decrees rendered by said court;

Also,

s. 20. To fix the time for pleading, and setting of causes for trial in the courts of the third judicial circuit of Alabama;

s. 41. To authorize the levy and collection of a tax upon property within the city of Birmingham, Alabama, or that may be lawfully taxable therein, for the maintenance of the public schools of said city;

Also,

s. 26. To relieve Laura C. Hill, of Montgomery county, of the disabilities of non-age:

Also,

s. 9. To fix the times of holding the circuit courts in the several counties comprising the seventh judicial circuit.

By Mr. Cunninghan from penitentiary, favorably, with amendment—

H. 77. To provide for the registration and payment of the fees of State's witnesses before the grand juries in cases where the defendant is not arrested within three years from date of the indictment and for the payment into the fine and forfeiture fund of said fees if subsequently collected;

By Mr. Walker from corporations, favorably—

s. 38. To incorporate the city of Fruithurst;

By Mr. Abercrombie from education, favorably—

s. 25. To establish a county school book board to select a uniform series of text books for use in the public schools in the county of Winston;

Also,

H. 58. To establish a separate school district in Clarke county, to be known as Fort Madison school district.

By Mr. Kilpatrick from municipal and county organizations, favorably, with amendment—

s. 18. To establish a new charter for the town of Edwardsville in Cleburne county, and to create the same a separate school district.

The house joint resolution, providing for a joint committee to prepare and report a bill for calling a constitutional convention, which was postponed till to-day, was considered.

Mr. Hundley offered an amendment.

Mr. Cunningham offered an amendment, as follows:

That said committee have no instructions whatever by senate, house or joint resolution, but that citizens of this

State may, and are invited to, suggest such provisions as in their opinion should be incorporated into the organic law of the State.

On motion of Mr. Brewer the resolution and pending amendments were recommitted to the committee on rules.

BILLS ON THIRD READING.

The bill,

s. 27. To refund to Henrietta Morton thirty dollars paid into the State treasury by her for the purchase of certain lands, bid in by the State for taxes, and subsequently found to have been erroneously sold,

Was read the third time and passed—yeas 25, nays 2.

Yeas:

Messrs. President, Abercrombie, Bethune, Browder, Brown, Case, Cunningham, Day, Deans of Shelby, Deens of Covington, Grant, Hall, Hawkins, Hogue, Kilpatrick, Lee, Matthews, Moody, Nolen, Pettus, Robinson, Smith, Sowell, Thomason, Walker—25.

Nays:

Messrs. Brewer and Hundley—2.

The bill,

s. 76. To fix and regulate the salaries and fees of certain officials of the State,

Was read the third time.

Mr. Hundley moved to postpone the further consideration of the bill, until William McKinley is inaugurated president of the United States.

On motion of Mr. Hogue the motion was laid on the table.

Mr. Cunningham moved to postpone the consideration of the bill till after recess of the general assembly.

On motion of Mr. Hogue the motion was tabled—yeas 18, nays 13.

Yeas:

Messrs. Abercrombie, Boykin, Brewer, Brooks, Browder, Brown, Buchanan, Case, Day, Deens of Covington, Grant, Hawkins, Hogue, Matthews, Nolen, Robinson, Sowell, Thomason—18.

Nays:

Messrs. President, Bethune, Cunningham, Deans of

Shelby, Hall, Hundley, Kilpatrick, Lee, McElderry, Moody, Pettus, Smith, Walker—13.

The bill passed—yeas 18, nays 12.

Yeas:

Messrs. Abercrombie, Brewer, Brooks, Brown, Case, Cunningham, Day, Deens of Covington, Hall, Hawkins, Hogue, Lee, Matthews, Nolen, Robinson, Smith, Sowell, Thomason—18.

Nays:

Messrs. President, Bethune, Boykin, Browder, Deans of Shelby, Grant, Hundley, Kilpatrick, McElderry, Moody, Pettus, Walker—12.

The bill,

s. 44. To amend an act to incorporate the Southern Mutual Fire Insurance Company, which was approved February 18th, 1895,

Was taken up.

The amendment reported by the committee as follows: "by this company,"

Was adopted.

Was read a third time and passed—yeas 23, nays 0.

Yeas:

Messrs. President, Abercrombie, Bethune, Boykin, Brown, Case, Cunningham, Day, Deens of Covington, Grant, Hall, Hawkins, Kilpatrick, Lee, Matthews, Moody, Nolen, Pettus, Robinson, Smith, Sowell, Thomason, Walker—23;

And was ordered forthwith to the house without engrossment.

The bill,

s. 73. To incorporate the Montezuma University of Bessemer, Alabama,

Was taken up.

Mr. Cunningham offered the following amendments:

Amend section 1 by striking out the names "J. F. Chapman and J. E. Lacey" in said section, and inserting in lieu thereof the name "E. M. Robinson,"

Which was adopted.

Also,

Amend section 8 by adding after the last words of said section, the following:

"Provided, however, That the exercise of such powers

shall not conflict with any provision or provisions that may be contained in the present lease of said University property,"

Which was adopted, and the bill as amended

Was read a third time and passed—yeas 24, nays 0.

Yeas:

Messrs. Abercrombie, Bethune, Boykin, Brooks, Brown, Case, Cunningham, Day, Deans of Shelby, Deens of Covington, Grant, Hawkins, Hundley, Kilpatrick, Lee, Matthews, McElderry, Moody, Pettus, Robinson, Smith, Sowell, Thomason, Walker—24.

The bill,

H. 25. To incorporate the Grand Lodge of Knights of Pythias of Alabama,

Was read a third time and passed—yeas 24, nays 0.

Yeas:

Messrs. Abercrombie, Bethune, Boykin, Brewer, Brooks, Brown, Case, Cunningham, Day, Deans of Shelby, Deens of Covington, Grant, Hall, Hawkins, Hogue, Kilpatrick, Matthews, McElderry, Moody, Pettus, Smith, Sowell, Thomason, Walker—24.

The bill,

s. 59. To repeal an act entitled "an act to amend section 5025 of the code [of 1876] so far as the same applies to Blount county," approved February 23, 1883, and also to re-enact section 3675 of the code of Alabama, as to the county of Blount,

Was read a third time and passed—yeas 25, nays 0.

Yeas:

Messrs. Abercrombie, Bethune, Boykin, Brooks, Brown, Case, Cunningham, Day, Deens of Covington, Grant, Hall, Hawkins, Hogue, Kilpatrick, Lee, Matthews, McElderry, Moody, Nolen, Pettus, Robinson, Smith, Sowell, Thomason, Walker—25.

The bill,

s. 64. To amend section seven (7) of an act to preserve order at the Sims Camp Ground, in the county of Randolph, State of Alabama,

Was read a third time and passed—yeas 23, nays 0.

Yeas:

Messrs. Bethune, Boykin, Brooks, Brown, Case, Cunningham, Day, Deens of Covington, Grant, Hall,

Hawkins, Hogue, Kilpatrick, Lee, Matthews, McElderry, Moody, Nolen, Pettus, Robinson, Sowell, Thomason, Walker—23.

The bill,

s. 71. To better provide for the working of the public roads of DeKalb county,

Was read a third time and passed—yeas 25, nays 0.

Messrs. Abercrombie, Bethune, Boykin, Brooks, Brown, Case, Cunningham, Day, Deans of Shelby, Deens of Covington, Grant, Hall, Hawkins, Hogue, Kilpatrick, Lee, Matthews, McElderry, Moody, Nolen, Pettus, Robinson, Sowell, Thomason, Walker—25.

The bill,

H. 52. To repeal an act entitled, an act to regulate the issue of garnishments and the proceedings thereon in the counties of Jefferson, Dallas, Calhoun, Escambia and Cleburne, approved February 21, 1893, so far as relates to Calhoun and Cleburne,

Was read a third time and passed—yeas 22, nays 0.

Yeas:

Messrs. Abercrombie, Brewer, Brooks, Brown, Case, Cunningham, Day, Deans of Shelby, Deens of Covington, Grant, Hall, Hawkins, Hogue, Kilpatrick, Lee, Matthews, Nolen, Pettus, Robinson, Sowell, Thomason, Walker—22.

The bill,

s. 40. To amend section nine (9) of an act entitled an act, approved February 18th, 1895, to establish five additional branch agricultural experiment stations and agricultural schools, to be located in the first, fourth, fifth, sixth and ninth congressional districts, respectively, in the State of Alabama,

Was taken up.

Mr. Deans of Shelby offered an amendment to the pending substitute, which was adopted.

The substitute, as amended, was adopted.

And the bill as amended was read a third time and passed—yeas 28, nays 0.

Yeas:

Messrs. President, Abercrombie, Bethune, Boykin, Brooks, Brown, Case, Cunningham, Day, Deans of Shelby, Deens of Covington, Grant, Hall, Hawkins,

Hogue, Hundley, Kilpatrick, Lee, Matthews, McElderry, Moody, Nolen, Pettus, Robinson, Smith, Sowell, Thomason, Walker—28.

The bill,

s. 75. To amend an act entitled an act, approved February 21, 1893, "to authorize the probate judges of DeKalb, Limestone and Crenshaw counties to call a special school board of education to select a uniform series of standard school books, to be used in the public schools of DeKalb, Limestone and Crenshaw counties, Alabama."

Was taken up, and the pending substitute adopted.

The bill was read the third time.

On motion of Mr. Pettus, the vote by which the bill was ordered to the third reading was reconsidered, and on his motion, the bill was recommitted to the committee on education.

The bill,

H. 66. To establish a separate school district and define its boundaries in Etowah county,

Was taken up.

The pending amendment was adopted and the bill as amended was read a third time and passed—yeas 24, nays 0.

Yeas:

Messrs. President, Abercrombie, Bethune, Boykin, Brooks, Brown, Case, Day, Deans of Shelby, Deens of Covington, Grant, Hall, Hawkins, Hogue, Kilpatrick, Lee, Matthews, McElderry, Moody, Nolen, Robinson, Sowell, Thomason, Walker—24.

The bill,

H. 112. To incorporate the Monroe Male and Female Institute,

Was read a third time and passed—ayes 23, nays 0.

Yeas:

Messrs. President, Abercrombie, Bethune, Boykin, Brooks, Brown, Case, Deans of Shelby, Deens of Covington, Grant, Hall, Hawkins, Hogue, Kilpatrick, Lee, Matthews, McElderry, Moody, Robinson, Smith, Sowell, Thomason, Walker—23.

The bill,

s. 51. To amend section one (1) of an act to establish the Guin school district in Marion county,

Was taken up.

The substitute reported by the committee was adopted, and the bill, as amended, was read a third a third time and passed—yeas 27, nays 0.

Yeas:

Messrs. President, Abercombie, Bethune, Boykin, Brooks, Browder, Brown, Case, Day, Deans of Shelby, Deens of Covington, Grant, Hall, Hawkins, Hogue, Hundley, Kilpatrick, Lee, Matthews, McElderry, Moody, Nolen, Robinson, Smith, Sowell, Thomason, Walker—27.

NOTICE OF RECONSIDERATION.

Mr. Smith gave notice that he would move to reconsider the vote by which the bill

s. 76. To fix and regulate the salaries and fees of certain officials of the State,

Was passed to-day.

MESSAGE FROM THE HOUSE.

Mr. President:

The house has adopted and ordered forthwith to the senate without engrossment, a joint resolution herewith sent, relating to reprinting the Alabama reports,

And has amended by way of a substitute, and as amended, has concurred in the two senate joint resolutions, providing for the employment and pay of certain subordinate officers and servants of the senate.

MASSEY WILSON, Clerk.

HOUSE MESSAGES.

The house joint resolution just received relative to reprinting the Alabama reports, was referred to the committee on rules.

The senate considered the amendment by the house to the senate joint resolutions providing for the employ-

ment and pay of certain subordinate officers and servants of the senate,

Which amendment is as follows:

Resolved by the senate of Alabama the house concurring, That the President of the senate is authorized to appoint one messenger at a salary of two and 50-100 dollars per day and one doorkeeper for the senate gallery at a salary of $2.00 per day and the doorkeeper of the senate is authorized to employ two servants at a salary of one and 50-100 dollars each per day. and the speaker is authorized to appoint a doorkeeper for the gallery of house at a salary of three dollars per day, and the messenger of the senate, doorkeeper of the senate gallery, doorkeeper of the house gallery and servants heretofore employed at the present session of the General Assembly of Alabama in accordance with the custom and necessities of the senate and house shall be paid for services already rendered as well as for services rendered during the rest of this session.

The house amendment was concurred in.

WITHDRAWAL OF BILL.

Mr. Deans of Shelby, asked and obtained leave to withdraw from further consideratioa of the senate the bill,

s. 79. To regulate, fix and prescribe the ex-officio compensation of the sheriff of Elmore county.

APPOINTMENT OF DOORKEEPER FOR THE SENATE GALLERY.

The president of the senate announced that in pursuance with the joint resolution of the two houses of the general assembly he appointed George S. Houston, of Autauga connty, as doorkeeper of the senate gallery.

MESSAGE FROM THE GOVERNOR.

STATE OF ALABAMA, EXECUTIVE DEPARTMENT,
OFFICE OF THE GOVERNOR.
Montgomery, Nov. 20th, 1896.

Mr. President:

I am directed by the governor to communicate to the senate a message in writing.

W. J. VAIDEN,
Private Secretary.

OFFICE OF THE GOVERNOR,
Montgomery, Ala., Nov. 20th, 1896.

Gentlemen of the general assembly:

In my bi-ennial message to you at your organization I endeavored to show that the present deficiency in the revenue was $225,177.54 and after quoting from the auditor his estimate of the deficiency for the present fiscal year as $146,100. I stated that it would not exceed $150,000.

In the State Herald yesterday the following language was used editorially, to-wit:

"The fact is that on the first of January, 1897, there will be a deficiency of something like six hundred thousand dollars to deal with. Confronted, therefore, as we are with such a large deficit and with the further fact that there must be a very heavy increase in taxable valuations, of the tax rate, or a moderate increase in both to enable the State to meet its current expenses and extinguish the deficit, we cannot agree that it would be wise at this time to incur any additional liabilities not absolutely necessary for the proper administration of tho government."

If this editorial be true it proves that I uttered a falsehood in my message. If I told the truth then the editorial statement is false. I am also informed that the honorable gentleman, who will succeed me in the chief executive office on the 1st prox., some days ago requested that a committee be raised to investigate the state of the treasury and ascertain the amount of the deficiency, which committee I am informed has not been raised. It is right for him to have the information authoritatively. I ask nothing except what is my due and desire the investigation to be a most thorough and searching one and will order the State examiner to aid any committee which may be raised. I hope it will be a joint committee from the two houses. The people of the State should know the facts. It is but just to me and my adminis-

tration and I most respectfully demand that immediate action be taken.

WM. C. OATES,
Governor.

EXECUTIVE MESSAGE.

The message just received from the governor, was read, and on motion ot Mr. Sayre, Mr. Pettus presiding, was referred to the select joint committee heretofore raised to investigate and report the financial condition of the State.

MESSAGE FROM THE HOUSE.

Mr. President:

The house has adopted a joint resolution herewith sent, relative to Senator James L. Pugh and inviting him to address the two houses of the general assembly.

MASSEY WILSON,
Clerk.

HOUSE MESSAGE.

On motion of Mr. Pettus the rules were suspended and the resolution just received relative to Senator James L. Pugh was concurred in.

ADJOURNMENT.

At 2 o'clock p. m., on motion of Mr. Sowell, the senate adjourned till to-morrow morning 10:30 o'clock.

ELEVENTH DAY.

SENATE CHAMBER,

SATURDAY, November 21, 1896.

The senate met pursuant to adjournment.

Prayer by Rev. J. C. Ott of Lauderdale county.

Present,

Messrs. President, Abercrombie, Bethune, Boykin, Brewer, Brooks, Browder, Brown, Case, Cunningham, Day, Deans of Shelby, Deens of Covington, Grant, Hall, Hogue, Hundley, Kilpatrick, Lee, Matthews, McElderry, Moody, Nolen, Pettus, Robinson, Smith, Sowell, Thomason—28.

LEAVES OF ABSENCE.

Leave of absence was granted to Mr. Rogers for yesterday and indefinitely on account of sickness, Mr. Deans of Shelby for Monday and Tuesday, Mr. Browder indefinitely, and Mr. Bethune for Monday.

INTRODUCTION OF BILLS.

On the call of the districts, bills were introduced, read and referred to appropriate committees, as follows:

By Mr. Brown—

s. 99. To amend section one of an act approved Feb. 13th, 1891, entitled an act to amend an act entitled an act for the relief of needy confederate soldiers and sailors residents of Alabama who from wounds or other causes are now unable to earn a livelihood, and for the widows of such as were killed or died in said war and have not since re-married, approved Feb. 18th, 1895,

Finance and taxation;

By Mr. Abercrombie—

s. 100. To amend section 3636 of Code of 1886,

Judiciary;

Also,

s. 101. To regulate the sale of personal property in which the seller retains the title,

Judiciary;

By Mr. Kilpatrick—

s. 102. To amend an act to relieve married women of their disabilities of minority, approved February 18th, 1895,

Judiciary;

By Mr. Case—

s. 103. To elect all State and city solicitors in Alabama by the popular vote of the people,

Judiciary;

By Mr. Cunningham—

s. 104. To regulate management and work of convicts in the State of Alabama, providing for the more humane treatment of the convicts, the maintenance of the revenue derived from convict labor and the more equitable distribution of the competition of convict with free labor,

Penitentiary and criminal administration;

REPORTS OF COMMITTEES.

Bills were reported from committees and read a second time as follows:

By Mr. Pettus, from judiciary, favorably,

H. 43. To amend section 751 of the Code;

Also,

H. 48. To regulate the summoning of witnesses in criminal cases in the circuit court and in the county court of Bibb county;

Also, with amendment,

H. 49. To revive judgments and decrees against administrators *de bonis non*, in cases where such judgments or decrees have been rendered against administrators in chief and such administrators in chief, have died, been removed or have resigned, before the payment of such judgment or decree;

Also, favorably,

H. 103. To provide for the compensation of the county solicitor for Walker county;

Also,

H. 36. To amend an act entitled an act to amend section 3588 of the Code, approved February 18th, 1895;

H. 35. To amend section 3262 of the Code;

Also, with amendment,

s. 16. To amend an act entitled an act to dissolve garnishments in cases where the defendant executes bond to plaintiff, approved February 12, 1891;

Also, with amendment,

s. 85. To authorize the court of county commissioners of Lee county, Alabama, to issue and sell bonds of said county to an amount not exceeding $25,000 for the purpose of building a new court house for said county;

Also, favorably,

s. 68. To regulate the filing of pleas and demurrers in the circuit courts of the counties of Lowndes, Butler, Crenshaw and Conecuh;

Also,

s. 72. For the protection of the creditors of any insolvent and failing corporation against preferences made or suffered by the directors, officers or managers of such corporation in the payment or security of debts;

Also,

s. 67. To amend section 855 of the Code so far as the same relates as to who may practice law;

Also,

s. 81. To fix and regulate the ex-officio fees of the clerk of the circuit court of Limestone county;

Also, with amendment,

s. 83. To enable the register in chancery to collect his costs where bills have been filed for divorce;

By Mr, Brewer, from finance and taxation, favorably,

s. 66. To make valid and chargeable against the fine and forfeiture fund of Escambia county, Alabama, certain witness scrip or witness certificates, issued by the foreman of the grand juries of Escambia county, Alabama, and have said scrip or witness certificates paid by the treasurer of said county in the order of their registration;

By Mr. Abercrombie, from education, favorably,

H. 131. To amend section four (4) of an act to incorporate the Tuskegee Normal and Industrial Institute and to amend an act to amend an act to establish a normal school for colored teachers at Tuskegee, Alabama, approved December 19th, 1892.

REPORT OF ENROLLED BILLS.

Mr. Matthews from the committee on enrolled bills, reported as correctly enrolled,

s. 74. Joint resolution, authorizing the employment

of one messenger and two servants by the senate and one doorkeeper for the senate gallery and one doorkeeper for the house gallery.

SIGNING OF BILLS.

The president of the seate, in the presence of the, senate, immediately after its title had been publicly read, signed the above and foregoing senate joint resolution.

MESSAGE FROM THE HOUSE.

Mr. President:

The house has originated and passed the following bills:

H. 9. To repeal an act entitled an act to provide for the protection and preservatian of game animals and birds in Fayette county;

H. 16. To amend section 1 of an act to protect outstanding crops in the county of Mobile, approved February 27th, 1889;

H. 40. To create a separate school district in the town of Oakman, Alabama, to define the boundaries thereof and provide for the maintenance of schools thereof;

H. 79. To authorize and require the commissioners court of Lamar county to set apart and appropriate money from the general fund of said county, with which to pay and discharge certificates of State witnesses issued by the foreman of the grand jury and by the clerk of the circuit court of said county—fees which by law become a good claim against the fine and forfeiture fund of said county, after the approval of this act, and to regulate the manner of said payments and fixing the amount of said witness fees;

H. 61. To regulate the time of holding regular terms of the commissioners court in Cullman county, Alabama;

H. 94. To amend section 12 of an act to establish a State board of embalming to provide for the better protection of life and health, to prevent the spread of contagious diseases and te regulate the practice of embalming

and the care and disposition of the dead, approved December 12, 1894;

H. 157. To provide for a "finance committee" for Covington county, Alabama, and to prescribe the powers and duties thereof;

H, 158. To regulate and prescribe the manner of electing county commissioners of Dale county;

H. 178. To legalize the jury box of Monroe county, and to provide for drawing legal jurors therefrom;

H. 185. To fix the pay of the judge of the county court at St. Clair county.

MASSEY WILSON,
Clerk.

HOUSE MESSAGES.

The house bills just received, and whose titles are set out in the foregoing message were severally read the first time and referred to the appropriate committees as follows:

H. 9, 16, to local legislation;
H. 79, 61, 178, 185 to judiciary;
H. 40, to education;
H. 94, to public health;
H. 157, to finance and taxations;
H. 158, to privileges and elections.

RECOMMITMENT OF BILL.

On motion of Mr. Case the bill

S. 70. To require the judge of probate of DeKalb county to keep in his office a blank book or blank tablet of mortgages; and also one of deeds in which to record a description of property; and to keep duplicates of such for sale,

Was recalled from the judiciary committee and referred to the committee on finance and taxation;

Also, on Mr Case's motion the bill

S. 86. To provide for the election of the railroad commissioners of Alabama,

Was recalled from the committee on commerce common carriers.

MOTION ON RECONSIDERATION.

Mr. Smith moved to reconsider the vote by which the bill

s. 76. To fix and regulate the salaries and fees of certain officials of the State,

Was passed on yesterday.

The motion prevailed and the vote was reconsidered.

Mr. Hogue moved to reconsider the vote by which the bill was ordered to the third reading.

Carried.

Mr. Hogue then offered the following amendment, which was adopted:

"Provided that the provisions of this act shall not apply to county officials."

Mr. Case offered the following amendment:

"That the governor of Alabama and the supreme court judges be allowed only $2,000 a year."

Mr. Sayre, Mr. Brewer presiding, moved to lay the bill and amendments on the table,

Which motion was lost.—Yeas 13, Nays 14.

Yeas:

Messrs. President, Bethune, Boykin, Browder, Deans of Shelby, Grant, Hall, Hundley, Kilpatrick, McElderry, Moody, Pettus, Smith—13.

Nays:

Messrs. Abercrombie, Brewer, Brooks, Brown, Case, Cunningham, Day, Deens of Covington, Hogue Matthews, Nolen, Robinson, Sowell, Thomason—14.

Mr. Kilpatrick moved to postpone the further consideration of the bill until the first Tuesday after the recess of the general assembly.

Mr. Brewer moved to lay tbe motion to postpone on the table—Lost.

The mosion to postpone prevailed—Yeas 14, Nays 13.

Yeas:

Messrs. President, Bethune, Boykin, Browder, Cunningham, Deans of Shelby, Grant, Hall, Hundley, Kilpatrick, McElderry, Moody, Pettus, Smith—14.

Nays:

Messrs. Abercrombie, Brewer, Brooks, Brown, Case,

Day, Deens of Covington, Hogue, Matthews, Nolen, Robinson, Sowell, Thomason.—13.

BILLS ON THIRD READING.

The bill,

s. 39. To amend section 9 of an act entitled an act to establish five additional branch agricultural experiment stations and agricultural schools, to be located in the first, fourth, fifth, sixth, and ninth congressional districts, respectively, in the State of Alabama, approved February 18th, 1895,

Under an adverse report from the commtttee,

Was taken up, and the report was concurred in.

The bill,

s. 1. To incorporate the town of Joppa in the county of Cullman and State of Alabama,

Was taken up.

The amendment reported by the committee was adopted,

And the bill as amended, was read a third time and passed—yeas 21, nays 0.

Yeas:

Messrs. President, Abercrombie, Brewer, Brooks, Browder, Brown, Case, Cunningham, Day, Deans of Shelby, Deens of Covington, Grant, Hall, Kilpatrick, Mattthews, McElderry, Moody, Nolen, Robinson, Sowell—21.

And it was ordered to be sent to the house forthwith, without engrossment.

The bill,

s. 45. To repeal a certain act, entitled an act to incorporate the town of Alco, in the county of Escambia, and State of Alabama, approved February 13th, 1889,

Was taken up,

The amendment reported by the committee as follows:

Amend by adding to caption of the bill, "and to provide for the payment of the outstanding indebtedness of said town,"

Was adopted,

The bill as amended was read a third time and passed. Yeas 20, nays 0.

Yeas:

Messrs. President, Abercrombie, Bethune, Boykin, Brewer, Brown, Cunningham, Day, Deens of Covington, Grant, Hundley, Kilpatrick, Matthews, McElderry, Moody, Nolen, Robinson, Smith, Sowell, Thomason—20.

The bill,

s. 46. To repeal an act entitled an act to constitute the town of Alco, in Escambia county, Alabama, a separate school district.

Was read a third time and passed—yeas 22, nays 0.

Yeas:

Messrs, President, Abercrombie, Bethune, Boykin, Brewer, Brooks, Case, Cunningham, Day, Deans of Shelby, Deens of Covington, Grant, Hundley, Kilpatrick, Matthews, McElderry, Moody, Nolen, Robinson, Smith, Sowell, Thomason—22.

The bill,

s. 58. To authorize the mayor and aldermen of the city of Huntsville to issue bonds for the purpose of constructing sewers in said city,

Was read a third time and passed—yeas 26, nays, 0.

Yeas:

Messrs. President, Abercrombie, Bethune, Boykin, Brewer, Brooks, Brown, Case, Cunningham, Day, Deans of Shelby, Deens of Covington, Grant, Hall, Hogue, Hundley, Kilpatrick, Matthews, McElderry, Moody, Nolen, Pettus, Robinson, Smith, Sowell, Thomason—26.

The bill,

s. 63. To amend section 2937 of the Code of 1886,

Was read a third time and passed—yeas 22, nays 0.

Yeas:

Messrs. President, Abercrombie, Bethune, Boykin, Brooks, Browder, Brown, Cunningham, Day, Deens of Covington, Grant, Hall, Hogue, Kilpatrick, Matthews, McElderry, Moody, Nolen, Robinson, Smith, Sowell, Thomason—22.

Ths bill,

s. 20. To fix the time for pleading and setting of causes for trial in the courts of the third judicial circuit of Alabama,

Was read a third time and passed—yeas, 21, nays 0.

Yeas:

Messrs. President, Abercrombie, Bethune, Boykin, Brooks, Browder, Brown, Case, Cunningham, Day, Deens of Covington, Grant, Hall, Hogue, Matthews, Moody, Nolen, Robinson, Smith, Sowell, Thomason—21.

The bill,

s. 26. To relieve Laura C. Hill, of Montgomery county, of the disabilities of non-age,

Was read a third time and passed—yeas 22, nays 0.

Yeas:

Messrs. President, Abercrombie, Bethune, Boykin, Brooks, Browder, Brown, Case, Cunningham, Day, Deens of Covington, Grant, Hall, Hogue, Matthews, McElderry, Moody, Nolen, Robinson, Smith, Sowell, Thomason—22.

The bill,

H. 77. To provide for the registration and payment of the fees of State's witnesses before the grand juries in cases where the defendant is not arrested within three years from date of the indictment and for the payment into the fine and forfeiture fund of said fee if subsequently collected,

Was taken up.

The pending amendments, as follows:

Amend section 1 "Provided that the provisions of this act shall apply only to claims hereafter accruing."

Amend further, "by striking out section 4 of the bill."

Were severally adopted,

And the bill, as amended,

Was read a third time and passed—yeas 22, nays 0.

Yeas:

Messrs. Abercrombie, Bethune, Boykin, Brooks, Browder, Brown, Case, Cunningham, Day, Deens of Covington, Grant, Hall, Hogue, Kilpatrick, Matthews, McElderry, Moody, Nolen, Robinson, Smith, Sowell, Thomason—22.

The bill,

s. 38. To incorporate the oity of Fruithurst,

Was taken up.

The amendment reported by the committee was adopted,

And the bill as amended,

Was read a third time and passed—yeas 23, nays 0.

Yeas:

Messrs. President, Abrcrombie, Bethune, Boykin, Brewer. Brooks, Browder, Brown, Buchanan, Case, Cunningham, Day, Deens of Covington, Grant, Hogue, Kilpatrick, Matthews, McElderry, Nolen, Robinson, Smith, Sowell, Thomason—23.

The bill,

s. 25. To establish a county school book board to select a uniform series of text books for use in the public schools in the county of Winston,

Was read a third time and passed—yeas 18, nays 0.

Yeas:

Messrs, Abercrombie, Bethune, Brooks, Brown, Cunningham, Day, Deens of Covington, Grant, Hall, Hogue, Kilpatrick, Matthews, Moody, Nolen, Robinson, Smith, Sowell, Thomason—18.

The bill,

H. 58. To establish a separate school district in Clarke county, to be known as Fort Madison school district,

Was read a third tine and passed—yeas 22, nays 0.

Yeas:

Messrs. President, Abercrombie, Bethune Boykin, Brooks, Browder, Brown, Cunningham, Day, Deens of Covington, Grant, Hall, Hogue, Hundley, Kilpatrick, Matthews, McElderry, Nolen, Robinson, Smith, Sowell, Thomason—22.

The bill,

s. 18. To establish a new charter for the town of Edwardsville in Cleburne county, and to create the same a separate school district,

Was taken up.

The amendment reported by the committee as follows:

Amend by striking out section 23 and 24; and by striking out from the caption of the bill the words: "and to create the same a separate school district,"

Was adopted,

And the bill as amended,

Was read a third time and passed—yeas 23, nays 0.

Yeas:

Messrs. President, Abercrombie, Bethune, Boykin, Brooks, Browder, Brown, Case, Cunningham, Day, Deens

of Covington, Grant, Hall, Hogue, Hundley, Kilpatrick, Matthews, Moody, Nolen, Robinson, Smith, Sowell, Thomason—23.

BILLS SET FOR SPECIAL ORDERS.

On motion of Mr. Pettus the bill,

s. 15. To establish a new charter for the city of Huntsville,

Was made the special order for Monday next, immediately after reading the journal.

On motion of. Mr. McElderry the bill,

s. 10. To repeal an act entitled an act to amend an act to establish a city court for the county of Talladega, approved February 18th, 1895, and to provide for the disposition of all causes pending in said court, for the issuance of process on judgments and decrees in said court, for the issuance of process on indictments in said court, and for the transfer of all dockets, papers and books, relating to cases in said court, to the circuit and chancery court of Talladega county, respectively, and to provide for signing of bills of exceptions, and appeals to the supreme court from judgments and decrees rendered by said court,

Was made the special order for the first Wednesday after the recess of the general assembly.

On motion of Mr. Cunningham, the bill,

s. 41. To authorize the levy and collection of a tax upon property within the city of Birmingham, Alabama, or that may be lawfully taxable therein, for the maintenance of the public schools of said city,

Was made the special order for 12 m. on Monday next.

On motion of Mr. McElderry, the bill,

s. 9. To fix the times of holding the circuit courts in the several counties comprising the seventh judicial circuit,

Was made the special order for Monday next, immediately after s. 41 is disposed of.

MESSAGE FROM THE HOUSE.

Mr. President:

The house non concurred in the senate amendment to

the house joint resolution raising a joint committee of the two houses, to sit during the recess, and consider the report of the code commissioner, and requests a committee of conference thereon.

Committee on part of the house, Messrs. Browne of Talladega, Robinson and Davis.

MASSEY WILSON, Clerk.

HOUSE MESSAGE.

The senate insisted on its amendment to the resolution mentioned in the above message, and acceded to the request of the house for a committee of conference.

And the president of the senate announced as the conferees on the part of the senate: Messrs. Hogue, Brewer and Kilpatrick.

MESSAGE FROM THE HOUSE.

Mr. President:

The speaker of the house having signed the following bills, your signature is requested thereto:

H. 25. To incorporate the Grand Lodge of Knights of Pythias of Alabama;

H. 52. To repeal an act entitled an act to regulate the issue of garnishments and the proceedings thereon in the counties of Jefferson, Dallas, Calhoun, Escambia and Cleburne, approved February 21, 1893, so far as relates to Calhoun and Cleburne;

H. 112. To incorporate The Monroe Male and Female Institute.

MASSEY WILSON, Clerk.

SIGNING OF BILLS.

The president of the senate, in the presence of the senate, immediately after their titles had been publicly read by the secretary, signed the above house bills.

ADJOURNMENT.

At 1:50 p. m., on motion of Mr. Abercrombie, the

senate adjourned till 10:30 o'clock on Monday morning.

TWELFTH DAY.

MONDAY, November 23, 1896.

The senate met pursuant to adjournment.

Prayer by Rev. Mr. Thompson of the city.

Present,

Messrs. President, Abercrombie, Boykin, Brewer, Brooks, Brown, Case, Cunningham, Day, Deens of Covington, Grant, Hall, Hawkins, Hogue, Hundley, Kilpatrick, Lee, Matthews, McElderry, Moody, Nolen, Pettus, Robinson, Smith, Sowell, Thomason, Walker—27.

The journal of yesterday was read and approved.

REPORT FROM THE COMMITTEE ON RULES.

Mr. Pettus, from the committee on rules, reported, favorably, the house joint resolution,

Looking to the reprint of the Alabama Reports, and a sale of the same.

The report was concurred in, and the joint resolution was concurred in.

WITHDRAWAL OF BILL.

Mr. Case asked and obtained consent to withdraw from the further consideration of the senate, the bill,

s. 103. To elact all State and city solicitors in Alabama by the popular vote of the people.

INTRODUCTION OF BILLS.

On the call of the districts, bills were introduced, read and referred to appropriate committees, as follows:

By Mr. Day—

s. 105. Relative to bonds, undertakings, recognizances, guarantees and other obligations required or per-

mitted to be made, given tendered or filed with surety or sureties, and to the acceptance as surety or guarantor thereupon of companies qualified to act as such,

Judiciary;

By Mr. McElderry—

s. 106. To fix the times and places of holding the chancery courts in the northeastern chancery division,

Judiciary;

By Mr. Smith—

s. 107. To prevent excessive port charges in the port of Mobile,

Judiciary;

Also,

s. 108. To require sworn statements to be furnished ship captains and owners of ships entering the harbor of Mobile, specifying the actual payments made in the disbursements and port charges in the harbor of Mobile,

Judiciary;

MESSAGE FROM THE HOUSE.

Mr. President:

The house has originated and passed the following bills:

H. 140. To amend an act entitled "an act to constitute the city of Tuscaloosa a separate school district and to provide for the management of the public schools in said school district," approved February 17th, 1885, by the addition of section 14 in reference to the receipt and disbursement of the school fund of said district and section 15 in reference to the taking of the school census;

H. 7. To amend section 3407 of the Code of Alabama so far as the same applies to Fayette county;

H. 11. To provide for the registration and lien of judgment for the payment of money in the courts of justice of the peace in Lamar, Calhoun, Monroe, Barbour, Walker, Baldwin, Etowah, Macon, DeKalb, Fayette, Bibb, Sumter, Tallapoosa, Chilton and Madison counties;

H. 10. To amend section 3875 of the code of Alabama;

H. 15. To regulate the trial of misdemeanors in the county of Marshall;

H. 17. To amend sections 1 and 2 of an act to change the mode of compensating the solicitor for the county of Mobile, approved December the 9, 1886;

H. 34. To amend section 3371 of the code;

H. 37. To authorize the filing and recording of certain deeds and conveyances therein named, in the office of the probate judges of the counties of Walker, Marion, Lamar and Fayette;

H. 46. For the preservation and protection of birds in Chambers county;

H. 60. To regulate payments of the fine and forfeiture fund of Covington county by requiring payments in the numerical order of its registry and after sixty days notice to bar claims not presented to the amount of one hundred and thirty-five dollars of the claims first in numerical order not presented;

H. 81. To secure copyrights for the books of the State and to relieve J. K. Jackson, Secretary of State, from all liability for certain copies of supreme court reports and of the code of 1886 and two copies of the acts of 1894–5;

H. 90. To confirm the incorporation of the Fidelia Club of Mobile, Alabama, and to amend its charter;

H. 91. To confirm the incorporation of the Athelstan Club of Mobile, Alabama, and to amend its charter;

H. 110. To regulate the summoning and attendance of witnesses in civil causes in the circuit and city courts in Cullman county, Alabama;

H. 130. To authorize the board of mayor and councilmen of the city of Phoenix City to issue and negotiate bonds of said city to an amount not exceeding ten thousand dollars, for the purpose of purchasing and laying sewer pipe, improving the streets of said city and paying the indebtedness of said city;

H. 150. For the preservation of game, animals and birds in the county of Bibb.

MASSEY WILSON, Clerk.

HOUSE MESSAGES.

The house bills just received, the titles of which are

set forth in the foregoing house message, were severally read once and referred to appropriate committees, as follows:

H. 7, 11, 10, 15, 17, 34, 60, 90, 110, to judiciary;
H. 37, 46, 150, to local legislation;
H. 140, to education;
H. 81, to printing;
H. 130, to municipal and county organizations;
H. 91, to corporations.

RESOLUTION.

Mr. Grant offered the following joint resolution, which was referred to the committee on rules:

Resolved by the Senate, the House concurring, That a committee of five be appointed, two from the senate and three from the house, to suggest a time for the adjournment of the general assembly for the recess and the reassembling of the same thereafter.

REPORT FROM THE COMMITTEE ON RULES.

Mr. Hogue, from the committee on rules, reported favorably the following resolution:

Resolved by the senate, That the judiciary committee be and is authorized to employ a clerk who shall be paid four dollars per diem.

The report was concurred in and the resolution was adopted.

REPORTS OF COMMITTEES.

Bills were reported from committees, and read a second time as follows:

By Mr. Hogue, from local legislation, favorably,

H. 200. For the preservation and protection of the quail, commonly called partridge, in the county of Hale.

ORDER TO PRINT.

On motion of Mr. Cunningham, 500 copies of the bill,

s. 104. To regulate management and work of convicts in the State of Alabama, providing for the more humane treatment of the convicts, the maintenance of the revenues derived from convict labor and the more equitable distribution of the competition of convict and free labor,

Was ordered to be printed for the use of the senate.

SPECIAL ORDER.

The special order for this hour, the bill,

s. 15. To establish a new charter for the city of Huntsville,

Was taken up and considered by the senate.

Mr. Sowell moved that the bill be recommitted to the committee on municipal and county organizations.

The motion to recommit prevailed.

Yeas 16, nays 9.

Yeas:

Messrs. President, Abercrombie, Boykin, Brewer, Brown, Cunningham, Grant, Hawkins, Hogue, Kilpatrick, Lee, Matthews, Pettus, Sowell, Thomason, Walker—16.

Nays:

Messrs. Case, Day, Deens of Covington, Hall, Hundley, McElderry, Moody, Nolen, Robinson—9.

BILLS ON THIRD READING.

The bill,

H. 43. To amend section 751 of the Code,

Was read a third time and passed—yeas 24, nays 0.

Yeas:

Messrs. President, Abercrombie, Boykin, Brooks, Brown, Case, Cunningham, Day, Deens of Covington, Hall, Hawkins, Hogue, Hundley, Kilpatrick, Lee, Matthews, McElderry, Moody, Nolen, Pettus, Robinson, Smith, Sowell, Thomason—24.

The bill,

H. 48. To regulate the summoning of witnesses in criminal cases in the circuit court and in the county court of Bibb county,

Was read a third time and passed—yeas 25, nays 0.

Yeas:

Messrs. Abercrombie, Boykin, Brewer, Brooks, Brown, Case, Cunningham, Day, Deens of Covington, Grant, Hall, Hawkins, Hogue, Kilpatrick, Lee, Matthews, McElderry, Moody, Nolen, Pettus, Robinson, Smith, Sowell, Thomason, Walker—25.

The bill,

H. 49. To revive judgments and decrees against administrators *de bonis non*, in cases where such judgments or decrees have been rendered against administrators in chief and such administrators in chief, have died, been removed or have resigned, before the payment of such judgment or decree,

Was taken up,

The amendment reported by the committee, as follows:

Amend by adding to the last clause of the bill the following:

Provided such liability shall only bind the administrator *de bonis non* to the extent of the assets of the estate which have come into his possession,

Was adopted,

And the bill, as amended,

Was read a third time and passed—yeas 23, nays 0.

Yeas:

Messrs. Abercrombie, Boykin, Brewer, Brooks, Brown, Case, Cunningham, Day, Deens of Covington, Grant, Hall, Hawkins, Hogue, Lee, Matthews, McElderry, Moody, Pettus, Robinson, Smith, Sowell, Thomason, Walker—23.

The bill,

H. 103. To provide for the compensation of the county solicitor for Walker county,

Was read a third time and passed—yeas 24 nays 0.

Yeas:

Messrs. Abercrombie, Boykin, Brewer, Brooks, Brown, Case, Cunningham, Day, Deens of Covington, Grant, Hall, Hawkins, Hogue, Kilpatrick, Lee, Matthews, Moody, Nolen, Pettus, Robinson, Smith, Sowell, Thomason, Walker—24.

The bill,

H. 36. To amend an act entitled an act to amend section 3588 of the Code, approved February 18th 1895,

Was read a third time and passed—yeas 24, nays 0.

Yeas:

Messrs. President, Abercrombie, Boykin, Brewer, Brooks, Brown, Case, Cunningham, Day, Deens of Covington, Grant, Hall, Hawkins, Hogue, Kilpatrick Lee, Matthews, McElderry, Moody, Pettus, Robinson, Sowell, Thomason, Walker—24.

The bill,

H. 35. To amend section 3262 of the Code,

Was read a third time and passed—yeas 24, nays 0.

Yeas:

Messrs. Abercrombie, Boykin, Brewer, Brown, Case, Cunningham, Day, Deens of Covington, Grant, Hall, Hawkins, Hogue, Hundley, Kilpatrick, Lee, Matthews, McElderry, Moody. Nolen, Pettus, Robinson, Sowell, Thomason, Walker.—24.

The bill,

S. 85. To authorize the court of county commissioners of Lee county, Alabama, to issue and sell bonds of said county to an amount not exceeding $25,000 for the purpose of building a new court house for said county,

Was taken up,

The amentment reported by the committee, as follows;

Amend by striking out the words "State, county and municipal taxes" in line 2 of section 9, and inserting in lieu thereof the words "county and municipal taxes in Lee county,"

And in the last line of section 9 the word "Lee" in place of the word "the,"

The amendment was adopted,

And the bill, as amended,

Was read a third time and passed—yeas 24, nays 0.

Yeas:

Messrs. President, Abercrombie, Brooks, Brown, Case, Day, Deens of Covington, Grant, Hall, Hawkins, Hogue, Hundley, Kilpatrick, Lee, Matthews, McElderry, Moody, Nolen, Pettus, Robinson, Sowell, Thomason, Walker—24.

The bill,

S. 68. To regulate the filing of pleas and demurrers

in the circuit courts of the counties of Lowndes, Butler, Crenshaw and Conecuh,

Was read a third time and passed—yeas 25, nays 0.

Yeas:

Messrs. President, Abercrombie, Boykin, Brewer, Brooks, Brown, Case, Cunningham, Day, Deens of Covington, Grant, Hall, Hawkins, Hogue, Hundley, Kilpatrick, Lee, Matthews, McElderry, Moody, Nolen, Pettus, Robinson, Sowell, Thomason—25.

SPECIAL ORDERS FOR 12 M.

The senate considered the special orders set for 12 o'clock M. to-day.

The bill,

s. 41. To authorize the levy and collection of a tax upon property within the city of Birmingham, Alabama, or that may be lawfully taxable therein, for the maintenance of the public schools of said city,

Was read a third time and passed—yeas 24, nays 3.

Yeas:

Messrs. President, Abercrombie, Brewer, Brooks, Brown, Case, Cunningham, Day, Deens of Covington, Grant, Hall, Hawkins, Hogue, Hundley, Kilpatrick, Lee, Matthews, McElderry, Nolen, Pettus, Smith, Sowell, Thomason, Walker—24.

Nays:

Messrs. Boykin, Moody, Robinson—3.

The next special order which was,

The bill,

s. 9. To fix the times of holding the circuit courts in the several counties comprising the seventh judicial circuit,

Was read a third time and passed—yeas 25, nays, 0.

Yeas:

Messrs. President, Abercrombie, Boykin, Brewer, Brooks, Brown, Case, Day, Deens of Covington, Grant, Hall, Hawkins Hogue, Kilpatrick, Lee, Matthews, McElderry, Moody, Nolen, Pettus, Robinson, Smith, Sowell, Thomason, Walker—25,

MESSAGE FROM THE GOVERNOR.

STATE OF ALABAMA, EXECUTIVE DEPARTMENT,
OFFICE OF THE GOVERNOR,
MONTGOMERY, Nov. 23rd, 1896.

Mr. President:

I have the homor to inform you that the governor has approved Senate Bill 74.

Very respectfully,

W. J. VAIDEN,
Private Secretary.

MESSAGE FROM THE HOUSE.

Mr. President:

The house has originated and passed the following bill, and ordered forthwith to the senate, without engrossment,

H. 136. For the protection of the creditors of any insolvent and failing corporatiou against preferences made or suffered by the directors, officers or managers of such corporation in the payment or security of debts.

And has adopted the house joint resolution herewith sent, relative to raising a joint committee to visit certain public institutions; in the State at Talladega.

MASSEY WILSON, Clerk.

HOUSE MESSAGES.

The House bill H. 136, just received was read once and referred to the judiciary committee.

On motion of Mr. McElderry, the rules were suspended and the senate immediately considerrd the house joint resolution just received, in regard to raising a joint committee to visit the institutes for the deaf, and dumb and blind at Talladega.

Mr. Brewer offered the following amendment to the resolution:

Provided, The visit of the committee be made without any expense to the State.

Mr. Kilpatrick moved to lay the amendment on the table.

Lost.

The amendment was adopted, and the resolution, as amended, was concurred in.

The president of the senate announced as the committee on the part of the senate, under the resolution,

Messrs. Brewer and Hogue.

BILLS ON THIRD READINE.

The senate resumed consideration of bills on third reading.

The bill,

s. 67. To amend section 855 of the code so far as the same relates as to who may practice law,

Was read a third time and passed—yeas 14, nays 12.

Yeas:

Messrs. President, Abercrombie, Boykin, Brooks, Cunningham, Day, Hall, Hawkins, Hundley, Matthews, McElderry, Nolen, Smith, Thomason—14.

Nays:

Messrs. Brewer, Brown, Case, Deens of Covington, Grant, Hogue, Kilpatrick, Lee, Moody, Pettus, Robinson, Walker—12.

The bill,

s. 81. To fix and regulate the ex-officio fees of the clerk of the circuit court of Limestone county,

Was read a third time and passed—yeas 20, nays 0.

Yeas:

Messrs. President, Abercrombie, Boykin, Brewer, Brooks, Brown, Case, Cunningham, Day, Deens of Covington, Grant, Hall, Hawkins, Kilpatrick, Matthews, McElderry, Nolen, Robinson, Sowell, Thomason—20.

The bill,

s. 83. To enable the register in chancery to collect his costs where bills have been filed for divorce,

Was taken up.

The amendment reported by the committee, of follows:

Amend by adding at the end of section one, these words: "Provided the provisions of this act shall apply to Mobile county only,"

Was adopted,

And the caption to the bill was amended accordingly by adding "in Mobile county."

And the bill as amended was read a third time and passed—yeas 21, nays 0.

Yeas:

Messrs. President, Abercrombie, Boykin, Brewer, Brooks, Case, Cunningham, Day, Deens of Covington, Hall, Hawkins, Kilpatrick, Lee, Matthews, McElderry, Moody, Pettus, Robinson, Smith, Sowell, Thomason —21.

The bill,

s. 66. To make valid and chargeable against the fine and forfeiture fund of Escambia county, Alabama, certain witness script or witness certificates issued by the foreman of the grand juries of Escambia county, Alabama, and have said script or witness certificates paid by the treasurer of said county in the order of their registration,

Was read a third time and passed—yeas 21, nays 0.

Yeas:

Messrs. President, Abercrombie, Boykin, Brewer. Brooks, Case, Cunningham, Day, Grant, Hall, Hawkins, Hundley, Kilpatrick, Lee, Matthews, McElderry, Moody, Robinson, Smith, Sowell, Thomason—21.

The bill,

H. 131. To amend section four (4) of an act to incorporate the Tuskegee Normal and Industrial Institute and to amend an act to amend an act to establish a normal school for colored teachers at Tuskegee, Alabama, approved December 19th, 1892,

Was read a third time and passed—yeas 24, nays 0.

Yeas:

Messrs. President, Abercrombie, Boykin, Brewer, Brooks, Brown, Case, Cunningham, Day, Deens of Covington, Grant, Hall, Hawkins, Hundley, Kilpatrick, Lee, Matthews, McElderry, Moody, Nolen, Robinson, Smith, Sowell, Thomason—24.

ADJOURNMENT.

At 1:35 o'clock p. m., on motion of Mr. Grant, the

senate adjourned till 10:30 o'clock tomorrow morning.

THIRTEENTH DAY.

TUESDAY, Nov. 24, 1896.

Senate met pursuant to adjournment.
Prayer by Rev. Mr. Elliot of the city.
Present,
Messrs. President, Abercrombie, Bethune, Boykin, Brewer, Brooks, Brown, Buchanan, Case, Cunningham, Day, Deens of Covington, Grant, Hall, Hawkins, Hogue, Hollis, Hundley, Kilpatrick, Lee, Matthews, McElderry, Moody, Pettus, Robinson, Smith, Sowell, Thomason, Walker—29.
The journal of yesterday was read and approved.

LEAVE OF ABSENCE.

Leave of absence was granted to Mr. Hundley for tomorrow.

ANNOUNCEMENT OF COMMITTEE.

The president of the senate announced, that at the request of Mr. Brewer he was relieved from serving on the joint committee to visit the State institutes for the deaf, the dumb and the blind at Talladega, and he appoints in Mr. Brewer's place on the committee, Mr. Buchanan.

INTRODUCTION OF BILLS.

On the call of the districts, bills were introduced, read and referred to appropriate committees, as follows:
By Mr. Brown—
s. 109. To amend an act entitled an act to amend sections 1879, 1880, 1881 and 1882 of the code of 1886 approved February 27th, 1889,
Judiciary;

By Mr. Cunningham—

s. 110. To prohibit book–making or pool-selling in the State of Alabama,

Also,

s. 111. Regulating the payment of the wages of employes, laborers and wage-earners, engaged in mining and manufacturing in the counties of Jefferson, Walker, Bibb and Blount,

Corporations;

By Mr. Brewer—

s. 112. To regulate the purchase of stationery and other articles by the officials of Lowndes county,

Finance and taxation;

By Mr. Walker—

s. 113. To regulate the holding of the circuit court of Marengo county, and to provide for the practice and proceedings therein,

Judiciary;

By Mr. Brooks:

s. 114. To amend and revise an act, entitled an act, to incorate the town of Eunola in Geneva county Alabama,

Municipal and county organizations;

By Mr. Matthews—

s. 115. To repeal an act entitled an act to regulate the fees of the judge of the county court of Franklin county Alabama,

Judiciary;

Also,

s. 116. For the relief of Mrs. Fannie Parrish,

Finance and taxation;

By Mr. Bethune—

s. 117. To amend section one of an act entitled an act to incorporate Union Springs Female College, approved February the 22nd, 1887,

Education;

By Mr. Hogue—

s. 118. To amend section one, of an act approved February 22nd, 1887, entitled an act, "To amend section one of an act entitled an act for the protection and preservation of game animals and birds in Perry Co., approved February 7th, 1885,

Local legislation.

RESOLUTION.

Mr. Boykin offered the following resolution, which was referred to the committee on rules:

Resolved by the senate, That the secretary and the enrolling and engrossing clerks of the senate be authorized to employ such additional assistance as is needed to expedite the business of their departments.

REPORTS OF COMMITTEES.

Bills were reported from committees and read a second time as follows:

By Mr. Pettus, from judiciary, favorably with substitute,

s. 3. To regulate the trial of misdemeanors in the county of Marshall;

Also, with substitute,

s. 60. To render void as to certain persons, all contracts by which title to personal property is retained in one not having same in his possession, unless such contract or a sworn statement thereof is filed for record in the probate office;

Also, favorably,

s. 100. To amend section 3636 of Code of 1886;

Also, with amendment,

s. 49. To provide for the holding of regular jury terms of the county court of Wilcox county, Alabama, when the judge of said court from sickness or otherwise fails to attend;

Also, with amendment,

s. 96. For the protection of the State capitol and the grounds around it;

Also, favorably,

s. 6. To exempt ministers of the gospel in active service as pastors of churches or employed as evangelists, from road duty;

Also,

s. 4. To legalize the registration of deeds of conveyance which have been filed and recorded in office of the judge of probate of the proper county in this State before

the passage of this act, but not within the time required by law, and of those which may be so filed and recorded within twelve months from the passage of this act;

Also,

s. 108. To require sworn statements to be furnished ship captains and owners of ships entering the harbor of Mobile, specifying the actual payments made in the disbursements and port charges in the harbor of Mobile;

Also,

s. 107. To prevent excessive port charges in the port of Mobile;

Also,

H. 95. To amend an act entitled an act to fix the times and regulate the holding of the courts in the eighth judicial circuit of the State of Alabama, approved Feb. 6th, 1895;

Also,

H. 136. For the protection of the creditors of any insolvent and failing corporation against preferences made or suffered by the directors, officers or managers of such corporation in the payment or security of debts;

By Mr. Brewer, from finance and taxation, favorably with amendment,

s. 37. For the relief of Charles M. Flannigan;

Also, favorably,

s. 99. To amend section one of an act approved February 13th, 1891, entitled "an act to amend an act entitled an act for the relief of needy confederate soldiers and sailors, residents of Alabama, who from wounds or other causes are now unable to earn a livelihood, and for the widows of such as were killed or died in said war and have not since re-married, approved Feb. 18th, 1895;

Also,

s. 97. To regulate the use of the great seal of the State;

Also,

H. 157. To provide for a finance committee for Covington county, Alabama, and to prescribe the powers and duties thereof;

Also,

H. 213. To levy a license tax, State and county, on all peddlers of medicines drugs or articles of like char-

acter in the counties of Macon, Jefferson, Calhoun, Autauga, Bullock, Tallapoosa, Marengo, Monroe, Lee, Talladega, Clarke, Montgomery, Coffee, Barbour, Morgan, DeKalb, Wilcox, Elmore, Dallas, Sumter, Tuscaloosa, Russell, Chambers and Greene;

By Mr. Abercrombie, from education, without recommendation,

s. 8. To establish a uuiform series of text-books for the public schools of the State, and to prescribe the mode of selecting the same;

Also, favorably,

s. 29. To provide for the better support of the public schools of Escambia county, Alabama;

Also, with substitute,

s. 75. To amend an act entitled an act, approved February 21, 18 3, "To authorize the probate judge of DeKalb, Limestone, and Crenshaw counties to call a special school board of education to select a uniform series of standard school books, to be used in the public school of DeKalb, Limestone and Crenshaw counties, Alabama;"

Also, favorably,

H. 40. To create a separate school district in the town of Oakman, Alabama, to define the boundaries thereof and provide for the maintenance of schools thereof;

Also,

H. 6. To exempt township trustees of public schools in the counties of Fayette, Colbert, Lauderdale, Tallapoosa, Morgan, Bullock, Randolph, Elmore, Pickens, Marion and Baldwin, from poll tax and public road duty;

Also,

H. 140. To amend an act entitled "an act to constitute the city of Tuscaloosa a separate school district and to provide for the management of the public schools in said school district," approved Feb. 17, 1885, by the addition of section 14 in reference to the receipt and di bursement of the school fund of said district, and section 15 in reference to the taking of the school census;

By Mr. Grant, from printing, favorably,

H. 81. To secure copyrights for the books of the State, and to relieve J. K. Jackson, Secretary of State, from all liability for certain copies of supreme court reports,

and of the Code of 1886, and two copies of the acs of 1894–5.

MESSAGE FROM THE HOUSE.

Mr. President:

The house has originated and passed the following bills:

H. 132. To amend an act entitled "an act to fix the right of the city of Mobile to certain real estate," approved February 18, 1895;

H. 147. To amend an act entitled "an act to repeal sections 3286, 3287 and 3288 of the Code of 1876," approved February 17, 1885;

H. 152. To amend section 2571 of the Code of 1886;

H. 70. For the improvement of roads and bridges in Jackson county;

H. 71. To establish and maintain ferries in Jackson county;

H. 67. To provide for the election of four county commissioners in Fayette county and to prescribe the manner of electing same;

H. 120. To prescribe certain studies to be taught in the public schools of this State of an elementary grade;

H. 169. To amend section 3874 (4419–4120) of the Code of Alabama, 1886;

H. 190. To repeal an act entitled "an act to amend section 5025 of the Code (of 1876) so far as the same applies to Blount county," approved February 23d, 1883, also to re-enact section 3675 of the Code of Alabama as to the county of Blount;

H. 194. To repeal section 12 of an act entitled an act to incorporate the town of Hollins, in Clay county, approved February 21, 1893;

H. 216. To amend section 7 of an act entitled an act to prevent stock from running at large in certain portions of Hale and Tuscaloosa counties, approved February 21, 1887;

H. 141. To prohibit the law partner or partners of circuit, city or county solicitors of this State from defending cases in any court in this State where said solicitor prosecutes;

Yeas 13, nays 14.

Yeas:

Messrs. President, Abercrombie, Boykin, Brooks, Cunningham, Day, Deens of Covington, Hawkins, Hollis, Hundley, McElderry, Nolen, Smith—13.

Nays:

Messrs. Brewer, Brown, Case, Grant, Hogue, Kilpatrick, Lee, Matthews, Moody, Pettus, Robinson, Sowell, Thomason, Walker—14.

And the motion to reconsider was carried.

Mr. Pettus moved to indefinitely postpone the further consideration of the bill,

Which motion was lost—yeas 13, nays 16.

Yeas:

Messrs. Brewer, Brown, Grant, Hogue, Kilpatrick, Lee, Matthews, Moody, Pettus, Robinson, Sowell, Thomason, Walker—13.

Nays:

Messrs. President, Abercrombie, Bethune, Boykin, Brooks, Case, Cunningham, Day, Deens of Covington, Hall, Hawkins, Hollis, Hundley, McElderry, Nolen, Smith—16.

Mr. Brewer moved to make the bill the special order for Monday next at 12 o'clock.

On motion of Mr. McElderry, the motion was laid on the table.

Mr. Brown moved to make the bill the special order for Saturday next at 12 o'clock.

On motion of Mr. Hundley, the motion was laid on the table.

The bill was lost.

Yeas 14, nays 15.

Yeas:

Messrs. President, Abercrombie, Bethune, Boykin, Brooks, Cunningham, Day, Hall, Hawkins, Hollis, Hundley, McElderry, Nolen, Smith—14.

Nays:

Messrs. Brewer, Brown, Case, Deens of Covington, Grant, Hogue, Kilpatrick, Lee, Matthews, Moody, Pettus, Robinson, Sowell, Thomason, Walker—15.

severally read once and referred to appropriate committees as follows:

H. 132, 70, 216, to local legislation;
H. 147, 152, 169, 190, 194, 141, to judiciary;
H. 71, to municipal and county organizations;
H. 67, to privileges and elections;
H. 120, to education;
H. 188, to public health.

REPORT FROM THE COMMITTEE ON RULES.

Mr. Pettus, from the committee on rules, reported favorably the joint resolution offered by Mr. Grant, on yesterday, providing for a joint committee to suggest the time when the general assembly should take a recess and reconvene thereafter.

The report was concurred in and the resolution was adopted.

The president of the senate announced as the committee on the part of the senate, under the resolution, Messrs. Grant and Deens of Covington.

MOTION TO SET A SPECIAL ORDER.

Mr. Hundley moved that the house joint resolution, providing for the appointment of a joint committee to report a bill calling a constitutional convention, if reported by the committee on rules before Monday next, be made the special order for Monday next at 12 o'clock m.

On motion of Mr. Pettus, the motion was laid on the table.

RECONSIDERATION OF VOTE.

Mr. Matthews moved to reconsider the vote by which the bill,

s. 67. To amend section 855 of the code so far as the same relates to who may practice law,

Was passed on yesterday.

Mr. McElderry moved to lay the motion on the table.

The motion to table was lost.

Yeas 13, nays 14.

Yeas:

Messrs. President, Abercrombie, Boykin, Brooks, Cunningham, Day, Deens of Covington, Hawkins, Hollis, Hundley, McElderry, Nolen, Smith—13.

Nays:

Messrs. Brewer, Brown, Case, Grant, Hogue, Kilpatrick, Lee, Matthews, Moody, Pettus, Robinson, Sowell, Thomason, Walker—14.

And the motion to reconsider was carried.

Mr. Pettus moved to indefinitely postpone the further consideration of the bill,

Which motion was lost—yeas 13, nays 16.

Yeas:

Messrs. Brewer, Brown, Grant, Hogue, Kilpatrick, Lee, Matthews, Moody, Pettus, Robinson, Sowell, Thomason, Walker—13.

Nays:

Messrs. President, Abercrombie, Bethune, Boykin, Brooks, Case, Cunningham, Day, Deens of Covington, Hall, Hawkins, Hollis, Hundley, McElderry, Nolen, Smith—16.

Mr. Brewer moved to make the bill the special order for Monday next at 12 o'clock.

On motion of Mr. McElderry, the motion was laid on the table.

Mr. Brown moved to make the bill the special order for Saturday next at 12 o'clock.

On motion of Mr. Hundley, the motion was laid on the table.

The bill was lost.

Yeas 14, nays 15.

Yeas:

Messrs. President, Abercrombie, Bethune, Boykin, Brooks, Cunningham, Day, Hall, Hawkins, Hollis, Hundley, McElderry, Nolen, Smith—14.

Nays:

Messrs. Brewer, Brown, Case, Deens of Covington, Grant, Hogue, Kilpatrick, Lee, Matthews, Moody, Pettus, Robinson, Sowell, Thomason, Walker—15.

BILLS ON THIRD READING.

The bill,

H. 200. For the preservation and protection of the quail, commonly called partridge, in Hale county,

Was read a third time and passed—yeas, 27, nays 0.

Yeas:

Messrs. President, Abercrombie, Bethune, Boykin, Brewer, Brooks, Case, Cunningham, Day, Deens of Covington, Grant, Hall, Hawkins, Hogue, Hollis, Hundley, Kilpatrick, Lee, Matthews, Moody, Nolen, Pettus, Robinson, Smith, Sowell, Thomason, Walker—27.

MESSAGE FROM THE GOVERNOR.

STATE OF ALABAMA, EXECUTIVE DEPARTMENT,
OFFICE OF THE GOVERNOR,
MONTGOMERY, November 24th, 1896.

Mr. President:

I am directed by the governor to communicate to the senate a message in writing.

Very respectfully,

R. G. BANKS,
Recording Secretary.

STATE OF ALABAMA, EXECUTIVE DEPARTMENT,
OFFICE OF THE GOVERNOR,
MONTGOMERY, November 24th, 1896.

Mr. President:

I have the honor to inform you that I have appointed as trustees of the University, Willis G. Clarke of Mobile, for a term ending March 1st 1902; John H. Caldwell of Calhoun, for a term ending March 1st, 1902; M. L. Stansel of Pickens, for a term ending March 1st, 1902; and William Richardson, of Madison, for a term ending March 1st, 1897, vice R. Barnwell Rhett resigned, and request their confirmation.

Respectfully,

WM. C. OATES, Governor.

EXECUTIVE MESSAGES.

On motion of Mr. Abercrombie, the governor's message just received was referred to the committee on education.

ELECTION OF UNITED STATES SENATOR.

This being the second Tuesday after the meeting and organization of the legislature of Alabama, the senate proceeded openly *viva voce* vote of each member present to name one person for Senator in congress from the State of Alabama.

Mr. Smith placed in nomination for senator in congress from the State of Alabama, Edmund W. Pettus of Dallas county, Ala., to succeed Senator James L. Pugh, whose term expires March 4th, 1897.

Mr. Hundley placed in nomination for senator in congress from Alabama, M. D. Wickersham of Mobile county, Ala., to succeed Senator James L. Pugh, whose term expires March 4th, 1897.

Mr. Day placed in nomination for senator in congress from Alabama, A. P. Longshore of Shelby county, Ala., to succeed Senator James L. Pugh whose term expires March 4th 1897,

And on a call of the roll of the senate, those who voted for Edmund W. Pettus are:

Messrs. President, Abercrombie, Bethune, Boykin, Brewer, Brown, Buchanan, Cunningham, Grant, Hawkins, Hogue, Kilpatrick, Lee, Matthews, McElderry, Moody, Pettus, Smith, Sowell, Thomason, Walker—21.

Mr. Hundley, voted for M. D. Wickersham—1.

Those who voted for A. P. Longshore, are:

Messrs. Brooks, Day, Case, Deens of Covington, Hall, Hollis, Nolen, and Robinson—8.

And the president of the senate announced that Edmund W. Pettus of Dallas county, had received a majority of the whole number of votes cast in the senate of Alabama, to succeed Senator James L. Pugh, whose term expires the 4th day of March, 1897.

MESSAGE FROM THE HOUSE.

Mr. President:

The speaker of the house having signed the following bills your signature is requested thereto:

H. 36. To amend an act entitled an act to amend section 3588 of the Code, approved February 18th, 1895;

H. 43. To amend section 751 of the Code;

H. 48. To regulate the summoning of witnesses in criminal cases in the circuit court and in the county court of Bibb county;

H. 58. To establish a separate school district in Clarke county, to be known as Fort Madison School District;

H. 66. To establish a separate school district and define its boundaries in Etowah county;

H. 103. To provide for the compensation of the county solicitor for Walker county;

H. 131. To amend section four (4) of an act to incorporate the Tuskegee Normal and Industrial Institute and to amend an act to amend an act to establish a normal school for colored teachers at Tuskegee, Alabama, approved December 19th, 1892.

MASSIEY WILSON, Clerk.

SIGNING OF HOUSE BILLS.

The president of the senate, in the presence of the senate, immediately after their titles had been publicly read by the secretary, signed the House bills, the titles of which are set forth in the foregoing house message.

ADJOURNMENT.

At 12:10 o'clock p. m., on motion of Mr. Kilpatrick, the senate adjourned until to-morrow morning at 10:30 o'clock.

FOURTEENTH DAY.

SENATE CHAMBER,

WEDNESDAY, November 25, 1896.

The senate met pursuant to adjournment.

Prayer by Rev. Mr. Elliott of the city.

Present,

Messrs. President, Abercrombie Bethune, Boykin, Brewer, Brooks, Brown, Case, Cunningham, Day, Deans of Shelby, Deens of Covington, Grant, Hall, Hawkins, Hollis, Kilpatrick, Lee, Matthews, McElderry, Moody, Nolen, Pettus, Robinson, Smith, Sowell, Thomason, Walker—28.

On motion of Mr. Pettus, the reading of the journal was dispensed with.

INTRODUCTION OF BILLS.

On the call of the distr'cts, bills were introduced, read and referred to appropriate committees, as follows:

By Mr. Sowell—

s. 119. To punish the giving of a mortgage or other lien, verbal or written on property by any person other than the owner thereof without the written consent of the owner of the property,

Judiciary;

By Mr. Abercrombie—

s. 120. To provide for teaching civil government in the public schools of the State,

Education;

By Mr. Thomason—

s. 121. To incorporate the town of Rock Mill, in the county of Randolph,

Municipal and county organizations;

By Mr. Deans of Shelby—

s. 122. To establish the Aldrich school district in Shelby county, Alabama, and to define the boundaries, rights, powers and privileges thereof,

Education;

By Mr. Grant—

s 123. To incorporate the South Alabama Baptist Institute of Thomasville, Clarke county, Alabama,

Education;

By Mr. Walker—

s. 124. To more effectually secure competent and well qualified jurors for the county of Marengo,

Corporations;

Also,

s. 125. To amend section 2 of an act to prevent stock from running at large in certain parts of Marengo county,

Corporations;

Also,

s. 126. To fix the time for holding the circuit court in the first judicial circuit of Alabama, to prescribe the time for pleading and to regulate the setting of causes for trial therein,

Corporations;

By Mr. Bethune—

s. 127. To prohibit the sale, giving away, or otherwise disposing of spirituous, vinous or malt liquors, or intoxicating ciders, bitters or beverages, or fruits preserved in alcoholic liquors within precinct number eight (8), including the incorporations of the towns of Fitzpatrick and Thompson, in Bullock county, Alabama,

Temperance;

By Mr. Pettus (by request)—

s. 128. To incorporate the town of West Blockton, Alabama,

Municipal and county organizations;

By Mr. Case—

s. 129. For the release of Jesse Slone, J. T. Miller, James B. Marsh, Reuben C. Davis, C. C. Davis, W. E. Quinn, E. S. Killion and B. H. Nicholson from the payment of the official bond of S. D. Monroe, ex-county treasurer of DeKalb county, Alabama,

Finance and taxation.

LEAVES OF ABSENCE.

Leave of absence was granted to Mr. Deans of Shelby

for Friday next, and to Messrs. Brooks, Walker and Deens of Covington for the balance of this week.

MESSAGE FROM THE HOUSE.

Mr. President:

The house has originated and passed the following bills:

H. 191. For the better preservation of game in Calhoun county, Alabama;

H. 195. To incorporate the city of Fruithurst;

H. 145. To authorize the foreman of the grand jury to issue certificates to witnesses examined before the grand jury;

H. 159. To donate twenty-five copies of the Code of Alabama of the year 1886 to the law library of the State University.

And has adopted the house joint resolution herewith sent, raising a joint committee to visit the Insane Hospital of the State.

Committee on part of the house, Messrs. Cofer and Lloyd.

And has concurred in the senate amendment to

H. 49. To revive judgments and decrees against administrators *de bonis non* in cases where such judgments or decrees have been rendered against administrators in chief and such administrators in chief have died, been removed or have resigned before the payment of such judgment or decree;

And has concurred in the senate joint resolution raising a joint committee on adjournment for the recess.

Committee on part of the house, Messrs. Davis, Glover and Beeson.

MASSEY WILSON,
Clerk.

HOUSE MESSAGES.

The house bills in the foregoing house message were severally road once and referred to appropriate committees, as follows:

H. 191, to local legislation;
H. 195, to corporations;
H. 145, to judiciary;
H. 159, to finance and taxation;
And the house joint resolution raising a joint committee to visit the Insane Hospital of the State,
Was referred to the committee on rules.

REPORTS OF COMMITTEES.

Bills were reported from the committees and read a second time, as follows:

By Mr. Pettus, from judiciary, favorably,
S. 102. To amend an act to relieve married women of their disabilities of minority, approved Feb. 18th, 1895;
Also, with amendment,
S. 13. To amend section 2933 of the Code of Alabama;
Also, favorably,
S. 106. To fix the times and places of holding the chancery courts, in the north-eastern chancery division;
Also,
H. 10. To amend section 3875 of the Code of Alabama;
Also,
H. 7. To amend section 3407 of the Code of Alabama so far as the same applies to Fayette county;
Also,
H. 182. To make all fines assessed upon condition for misdemeanors in Morgan county, Alabama, payable in money;
Also,
H. 175. To amend section 2071 of the Code of Alabama;
Also,
H. 61. To regulate the time of holding regular terms of the commissioners' courts in Cullman county, Alabama;
Also,
H. 110. To regulate the summoning and attendance

of witnesses in civil causes in the circuit and city courts in Cullman county, Alabama;

Also,

H. 83. To require members of the courts of county commissioners in Madison county to give bond for the faithful performance of their official duties;

By Mr. Smith, from local legislation, favorably,

H. 9. To repeal an act entitled an act to provide for the protection and preservation game, animals and birds in Fayette county;

Also,

H. 16. To amend section 1 of an act to protect outstanding crops in the county of Mobile, approved February 27, 1889;

Also,

H. 150. For the preservation of game, animals and birds in the county of Bibb;

Also,

H. 37. To authorize the filing and recording of certain deeds and conveyances therein named, in the office of the probate judges of the counties of Walker, Marion, Lamar and Fayette;

Also,

H. 46. For the preservation and protection of birds in Chambers county;

By Mr. Walker, from corporations, favorably,

S. 88. To authorize the governor to sell and convey a certain lot or parcel of land situated near Montgomery, Alabama, belonging to the State;

Also,

S. 89. To authorize the city council of Montgomery to issue bonds for the purpose of borrowing money to pave or otherwise improve the streets of the city of Montgomery;

Also,

S. 90. To amend sections 1 and 7 of an act entitled an act to provide a system of water works for the city of Montgomery, approved the 26th day of January, 1891;

Also,

S. 91. To amend sections 1, 9, 21, 43, 50, 72, 92 and 98 of "an act to establish a new charter for the city of Montgomery," approved February 21, 1893; and sections

1, 2, 3, 4, 5, 12, 17, 20, 22, 25, 30, 31, 32, 35 and 37 of "an act to amend sections 3, 5, 6, 7, 10, 11, 12, 15, 17, 18, 24, 27, 35, 37, 38, 42, 52, 53, 54, 55, 57, 59, 60, 61, 62, 65, 66, 71, 73, 77, 78, 79, 81, 83, 84, 85 and 86, and to repeal section 82 of an act to establish a new charter for the city of Montgomery, approved February 21, 1893," approved February 18th, 1895;

Also,

H. 102. To amend an act entitled an act to incorporate the city of Tuscaloosa, approved March 12th, 1873, by the addition of section 103 authorizing the mayor and aldermen of the city of Tuscaloosa to require certain male inhabitants thereof to work the streets of said city, to adopt ordinances to carry out the powers so granted, and to punish all persons failing to perform such work;

By Mr. McElderry from privileges and elections, favorably with amendment,

S. 7. To regulate the holding of primary elections for the selection of delegates to political conventions and the nomination of candidates for any office to be filled by election;

By Mr. Lee, from military, favorably,

S. 33. To amend an act to allow county commissioners in each county to appropriate a sufficient sum to pay armory rent for military companies located in their respective counties, approved February 18, 1895.

REPORT OF THE COMMITTEE ON ENROLLED BILLS.

Mr. Matthews from the committee on enrolled bills, reported as corrected by enrolled the following bill,

S. 44. To amend an act to incorporate the Southern Mutual Fire Insurance Company, which was approved February 18th, 1895.

SIGNING OF BILL.

The president of the senate, in the presence of the senate, immediately after its title had been publicly read by the secretary, signed the foregoing senate bill.

REPORT OF SELECT COMMITTEE.

Mr. Moody, from the select committee to examine into and report the financial condition of the State, submitted ihe following report, which was referred to the committee on finance and taxation;

To the Senate and House of Representatives:

The committee upon the financial condition of the State, appointed under a joint resolution which was introduced in the senate on 12th day of November, 1896, report that they have interviewed the governor, the auditor and the treasurer. Upon information obtained from these officials your committee makes the following statements, to-wit:

1. The total amount borrowed from July 30, 1895, to May 8, 1896, both inclusive, was $510,000.00. The interest and expenses on said money was $7,850.73. The foregoing sums, both principal and interest, have been paid in full.

On October 14, 1896, the State made an arrangement with the First National Bank of Mobile by which said bank agreed to cash the State's warrants to the extent of $50,000, less discount on the same, at the rate of 6 per cent per annum. About August 1, 1896, the State borrowed from Commercial Bank of Selma, Alabama, $100,000.00. This sum it appears though paid to the State in installments, at various times beginning September 28, and ending November 7, 1896, was not technically covered into the treasury until November 14, 1896. The note executed by the State for said loan was dated August 1, 1896. But the governor says that he had an understanding with the bank that the interest should not begin to run until the money was actually paid into the treasury. Said note bears interest at the rate of 6 cent per annum, and matures on the 15th of January 1897.

2. The total amount of warrants outstanding, not including those held by the First National Bank of Mobile as aforesaid, is $31,155.84. A statement of said outstanding warrants, by classes, is found in exhibit "A" hereto attached.

3. The amount due, or to become due, on or before December 31, 1896, on appropriations already made, and not including any of the warrants previously mentioned in this report, is $377,059.33.

4. There are no existing and lawful claims against the treasury, maturing before January 1, 1897, not mentioned above. But the interest on the bonded indebtedness of the State, though not due until January 1, 1897, is required by law to be deposited in New York city within ten days prior to said date, and amounts to $224,640. It is estimated that there will also be due on January 1, 1897, or soon thereafter, to public schools for quarter ending December 31, 1896, to Bryce Insane Hospital, to institutes for Deaf and Blind, to interest on university fund, to A. & M. College, and to Agricultural schools $244,000.00.

5. The amount of cash in the treasury on November 17, 1896, the day as on which these estimates were made, was $178,488.00. The estimated receipts from November 18, to December 31, 1896, both inclusive, is $280,000,

6. Recapitulating, your committee estimates, on figures and estimates furnished by the officials previously mentioned, that on January 1, 1897, the assets and liabilities of the State will be as follows:

ASSETS.

Cash in treasury on Nov. 17, 1896.....$	178,488 00
Amount due from First National bank of Mobile, (taking no note of discount.)	301 33
Receipts from Nov. 18, to Dec. 31, 1896, both inclusive.....	280,000 00
Total.....	$458,789 33

LIABILITIES.

Amount due First National bank of Mobile.$	50,000 00
Amount due Commercial bank of Selma, (taking no note of interest).....	100,000 00
Outstanding warrants.....	31,155 84

Amount due on appropriations already made	377,059 33
Amount of interest on bonded debt	224,640 00
Amount estimate of other claims against the State that will mature on January 1, 1897	244,000 00
Total	$ 1,026,855 17
Estimated excess of liabilities over assets on January 1, 1897,	568,065 84

Having furnished the information called for in the resolution above referred to, your committee asks to be discharged.

Respectfully submitted,

FRANK S. MOODY,
Chairman.
THOS. H. SMITH,
A. H. MERRILL,
J. J. MITCHELL,
J. CRAIG SMITH.

EXHIBIT "A."

OUTSTANDING WARRANTS SINCE OCTOBER 1, 1896.

Nos.	In favor of	Amounts.
7264	Insane Hospital	$15,000 00
7361	North Ala. Agricultural Schoool	750 00
7360	W. H. Sawtelle, solicitor.	200 00
7377	Institute for the deaf	3,262 50
7380	Academy for the blind	1,811 25
7382	School for negro deaf, mute and blind	1,437 50
7477	Removal of prisoners, Lawrence Co	7 01
7479	Board of equalization, Lauderdale	126 00
7642	Industrial school for white girls	1 00
7692	W. H. Sawtelle, solicitor.	200 00

7735	Feeding prisoners, Lawrence Co.....	33 30		
7741	Feeding prisoners, Limestone Co.....	42 60		
7747	Expenses convict system Block Com. Co.....	997 83		
7764	Expenses convict system, A. F. Wilson.....	85 50		
7779	C. F. Ferguson, solicitor.	200 00		
7789	Expenses of mine inspectors.....	35 25		
7809	Feeding prisoners, Blount Co.....	18 60		
7808	Feeding prisoners, Baldwin Co.....	39 60		
7810	Feeding prisoners, Etowah Co.....	88 80		
7828	Genl. Assembly, J. L. Lewis, mileage.....	20 40		
7883	Cost bill, Limestone Co..	24 68		
7900	Cost bill, Limestone Co..	27 08		
7901	Cost bill, Limestone Co...	43 06	$24,451	96
	Outstanding warrants of previous years unpaid October 1, 1896.....$	8,972 92		
	Paid since.....	2,269 04		
	Net outstanding warrants of previous years.....	6,703 88	$6,703	88
	Total outstanding warrants.....		31,155	84

November 17, 1896.

CHANGE OF REFERENCE OF BILL.

On motion of Mr. Smith, the house bill H. 90 was withdrawn from the judiciary committee and asked its reference to committee on corprrations.

RESOLUTIONS.

Mr. Abercrombie offered the following joint resolution, which was adopted:

Resolved by the senate, the house of representatives concurring, That a joint session of the senate and house be held to-day at 12 o'clock, M. for the purpose of electing a solicitor for the city court of Anniston for the ensuing term.

Mr. Hawkins offered the following resolution, which was referred to the committee on rules:

Resolved by the senate, That the clerk of the senate, committees on finance and taxation, and corporations be paid $4.00 per day.

Mr. Brown ofiered the following resolution, which was referred to the committee on rules:

Resolved, That the doorkeeper of the senate be instructed to designate a certain part of the gallery to be occupied by colored people, and that the doorkeeper for the gallery shall see that they occupy such part of the gallery so designated for them, and no other part.

Mr. Pettus offered the following joint resolution, which was immediately considered and adopted:

Resolved bg the seuate, the house concurring, That when the two houses adjourned to-day, they adjourn to meet on Friday, November 27th, 1896.

REPORTS FROM COMMITTEE ON RULS.

Mr. Pettus, from the committee on rules, reported a substitute for Mr. Boykin's resolution offered on yesterday providing for the employment of additional clerical help for the senate, which substitute is as follows:

Resolved, That the secretary of the senate be authorized to employ such additional clerical assistance as may be needed by the senate or the officers or clerks thereof, or by the chairman of the engrossing and enrolling committees, to be selected by said chairman.

BILLS ON THIRD READING.

The bill,

s. 3 To regulate the trial of misdemeanors in the county of Marshall, was taken up.

The substitute reported by the committee was adopted.

The bill was read the third time.

On motion of Mr. Hall, the vote by which the bill was ordered to a third reading was re-considered.

Mr. Hall moved to postpone the further consideration of the bill until after recess of the General Assembly.

Mr. Brown moved, as a substitute that the further consideration of the bill be postponed until Monday next and be made the special order for 12 o'clock M.

The latter motion was carried.

The bill,

s. 60. To render void as to certain persons, all contracts by which title to personal property is retained in one not having same in his possession, unless such contract or a sworn statement thereof is filed for record in the probate office;

Was taken up.

The substitute reported by the committee was adopted with a new caption as follows:

s. 60. To provide for the registration of contracts of conditional sales of personal property,

The bill as amended, was read a third time and passed—yeas, 20, nays, 0.

Yeas:

Messrs. President, Bethune, Boykin, Brewer, Brooks, Brown, Cunningham, Deens of Covington, Grant, Hawkins, Hollis, Kilpatrick, Lee, Matthews, Moody, Nolen, Pettus, Smith, Sowell, Walker—20.

The bill,

s. 100. To amend section 3636 of the Code of 1886,

Was read a third time and passed—yeas, 22, nays, 0.

Yeas:

Messrs. President, Bethune, Boykin, Brewer, Brown, Case, Cunningham, Day, Deens of Covington, Grant, Hall, Hawkins, Hollis, Kilpatrick, Lee, Matthews, Moody, Nolen, Pettus, Robinson, Smith, Sowell—22.

The bill,

s. 49. To provide for the holding of regular jury terms of the county court of Wilcox county, Alabama, when the judge of said court from sickness or otherwise fails to attend,

Was taken up.

The amendment reported by the committee as follows:

Amend by striking out the words "the members" in section 1, line 14 and inserting in lieu thereof the words "a majority,"

Was adopted.

And the bill was read a third time and passed—yeas, 23, nays, 0.

Yeas.

Messrs. President, Bethune, Boykin, Brown, Case, Cunningham, Day, Deans, of Shelby, Deens of Covington, Grant, Hall, Hawkins, Kilpatrick, Lee, Matthews, McElderry, Moody, Nolen, Pettus, Robinson, Smith, Sowell, Walker—23.

The bill,

s. 96. For the protection of the State Capitol and the grounds around it,

Was taken up.

The amendment reported by the committee as follows:

Amend (1) by striking out all of section 1, after the enacting clause (2) by striking out the works "section 2,"

Was adopted.

The bill as amended, was read a third time and passed—yeas 22, nays, 0.

Yeas.

Messrs. President, Bethune, Boykin, Brewer, Brooks, Brown, Cunningham, Deans of Shelby, Deens of Covington, Grant, Hall, Hawkins, Kilpatrick, Lee, Matthews, McElderry, Nolen, Pettus, Robinson, Smith, Sowell, Walker—22.

The bill,

s. 6. To exempt ministers of the gospel in active service as pastors of churches or employed as evangelists, from road duty,

Was read a third time and passed—yeas, 24, nays, 0.

Yeas.

Messrs. President, Bethune, Boykin, Brewer, Brooks, Brown, Case, Cunningham, Day, Deens of Covington, Grant, Hall, Hawkins, Hollis, Kilpatrick, Lee, Matthews, McElderry, Nolen, Pettus, Robinson, Smith, Sowell, Walker—24.

The bill,

s. 4. To legalize the registration of deeds of conveyance which have been filed and recorded in the office of the judge of probate of the proper county in this State before the passage of this act, but not within the time required by law, and of those which may be so filed and recorded within twelve months from the passage of this act,

Was read a third time and passed—yeas, 27, nays, 0.

Yeas:

Messrs. President, Abercrombie, Bethune, Boykin, Brewer, Brooks, Brown, Case, Cunningham, Day, Deans of Shelby, Deens of Covington, Grant, Hall, Hawkins, Kilpatrick, Lee, Matthew, McElderry, Moody, Nolen, Pettus, Robinson, Smith, Sowell, Thomason, Walker–27.

The bill,

s. 108. To require sworn statements to be furnished ship captains and owners of ships entering the harbor of Mobile, specifying the actual payments made in the disbursements and port charges in the harbor of Mobile,

Was read a third time and passed—yeas, 27, nays, 0.

Yeas:

Messrs. President, Abercrombie, Bethune, Boykin, Brewer, Brooks, Brown, Case, Cunningham, Day, Deans of Shelby, Deens of Covington, Grant, Hall, Hawkins, Kilpatrick, Lee, Matthews, McElderry, Moody, Nolen, Pettus, Robinson, Smith, Sowell, Thomason, Walker—27.

The bill,

s. 107. To prevent excessive port charges in the port of Mobile,

Was read a third time and passed—yeas, 26, nays, 0.

Yeas:

Messrs. President, Abercrombie, Bethune, Boykin, Brewer, Brooks, Brown, Case, Cunningham, Deans of Shelby, Deens of Covington, Grant, Hall, Hawkins, Hollis, Kilpatrick, Matthews, McElderry, Moody, Nolen, Pettus, Robinson, Smith, Sowell, Thomason, Walker—26.

The bill,

H. 95. To amend an act entitled an act to fix the times and regulate the holding of the courts in the

eighth judicial circuit of the State of Alabama, approved February 6th, 1895,

Was read a third time and passed—yeas, 26, nays 0.

Yeas:

Messrs. President, Abercrombie, Bethune, Boykin, Brewer, Brooks, Brown, Case, Cunningham, Day, Deans of Shelby, Deens of Covington, Grant, Hall, Hawkins, Hollis, Kilpatrick, Lee, Matthews, McElderry, Nolen, Pettus, Robinson, Smith, Sowell, Walker—26.

MESSAGE FROM THE HOUSE.

Mr. President:

I am directed by the house to invite the senate to meet with the house in joint convention at 12 o'clock m. to-day, to ascertain the vote in each house on yesterday for United States Senator, and declare the result,

And the house has concurred in the senate joint resolution providing for the election to-day of a solicitor for the city court of Anniston,

And has concurred in the senate joint resolution providing for adjournment over to-morrow for thanksgiving.

MASSEY WILSON, Clerk.

JOINT CONVENTION FOR THE ELECTION OF UNITED STATES SENATOR.

The hour of twelve o'clock meridian having arrived, when, in pursuance of law, the senate should convene with the house in joint convention in the hall of the house of representatives, for the purpose of ascertaining the result of the balloting on yesterday, November the 24th, 1896, for a senator to represent the State of Alabama in the congress of the United States, to succeed Senator James L. Pugh, whose term expires on the 3rd day of March, 1897, and in case no election had been made to proceed with such election; the senate met with the house in the hall of the house of representatives.

The joint convention was called to order by the president of the senate, who directed the secretary of the

senate to call the roll of the senate. Whereupon the following senators answered to their names, being a majority of the senate of Alabama, viz;

Messrs. President, Abercrombie, Bethune, Boykin, Brown, Cunningham, Day, Deans of Shelby, Deens of Covington, Grant, Hall, Hawkins, Hollis, Kilpatrick, Lee, Matthews, McElderry, Moody, Nolen, Pettus, Robinson, Smith, Sowell, Walker—24.

The speaker of the house, then directed the clerk of the house to call the roll of the house of representatives, whereupon the following representatives answered to their names, being a majority of the houses of representatives of Alabama, viz

Messrs. Speaker, Abercrombie, Altman, Appling Baker, Barnes, Barron, Beasley, Beeson, Bouldin, Brandon, Brown of Colbert, Brown of Jefferson, Browne of Talladega, Brothers, Burns, Cofer, Coleman, Canant, Darby, Davis, Dreyspring, Eiland, Espy, Flewellen, Franklin, Gast, Glover, Graves, Greene, Harris, Hampton, Harkins, Hearn, Henley, Henson, Hibbard, Hill, Huddleston, Hunt, Jenkins, Joseph, Kennamer, Killebrew, Killen, Knowles, Lavender, Lawson, Lewis, Lipscomb, Lloyd, Love, Meadow, Meadows, Mills, Merrill, McClellan, McCollum, McGuire, Newman, Nesmith, Ovens, Palmer, Perry, Pitts, Poole, Porter, Prowell, Reynolds, Rogers, Shamblin, Simmons, Smith of Dallas, Smith of Tallapoosa, Stansel, Stewart, Timberlake, Townsend, Troup, Tunstall, Turner, Waller of Hale, Waller of Montgomery, Wiley, Wood of Henry, Wood of Macon, Yorbrough—87.

The secretary of the senate, then proceeded to read the journal of the senate of yesterday, from which it appeared that Edmund W. Pettus of Dallas county, Alabama, received twenty-one votes, and M. D. Wickersham of Mobile county, Alabama, received one vote, and A. P. Longshore of Shelby county, Alabama, received eight votes for senator to represent the State of Alabama, in the congress of the United States for the term beginning March 4th, 1897.

The clerk of the house of representatives, then read the journal of the house of representatives of yesterday, from which it appeared that Edmund W. Pettus, of Dal-

las county received seventy-two votes; M. D. Wickersham of Mobile county, received five votes and A. P. Longshore of Shelby county, received 16 votes for senator, to represent the State of Alabama, in the congress of the United States for the term beginning March 4th, 1897.

The president of the senate, then announced, that Edmund W. Pettus of Dallas county, having received a majority of all the votes cast in each house of the general assembly of Alabama, for senator, to represent the State of Alabama in the congress of the United States, to succeed Senator James L. Pugh, whose term expires on the 3rd day of March 1897, he declared him to be duly and constitutionally elected a senator from the State of Alabama, to the congress of the United States of America, for the term prescribed by law.

ELECTION OF A SOLICITOR FOR THE CITY COURT OF ANNISTON.

Pursuant to a joint resolution heretofore concurred in, the joint convention proceeded to the election of a solicitor for the city court of Anniston.

Mr. Abercrombie placed in nomination Wiley C. Tunstall, Jr., of Anniston, for solicitor of the city court of Anniston.

Those of the senate who voted for Mr. Tunstall are:

Messrs, President, Abercrombie, Bethune, Boykin, Brooks, Brown, Cunningham, Day, Deans of Shelby, Deens of Covington, Grant, Hall, Hawkins, Kilpatrick, Lee, Matthews, McElderry, Moody, Nolen, Pettus, Smith, Sowell, Thomason, Walker—24.

The president announced that Mr. Tunstall had received in the senate twenty-four votes.

Those of the house who voted for Mr. Tunstall are:

Messrs. Speaker, Altman, Appling, Baker, Barnes, Barron, Beasley, Beeson, Bouldin, Brandon, Brown of Colbert, Brown of Jefferson, Browne of Talladega, Brothers, Burns, Cameron, Cofer, Coleman, Darby, Davis, Delchamps, Dreyspring, Espy, Flewellen, Glover, Graves, Greene, Harris, Hampton, Henson, Hibbard, Hill, Hunt, Jenkins, Joseph, Killen, Knowles, Kyle,

Lavender, Lipscomb, Lloyd, Love, Meadow, Mills, Merrill, McClellan, McCollum, McGuire, Newman, Nesmith, Ovens, Perry, Pitts, Poole, Porter, Prowell, Rogers, Simmons, Smith of Dallas, Smith of Tallapoosa, Stansel, Stewart, Timberlake, Troup, Tunstall, Turner, Waller of Hale, Waller of Montgomery, Wiley, Wood of Henry, Wood of Macon—70.

The speaker of the house then announced that Mr. Tunstall had received in the house of representatives seventy votes.

The president of the senate then declared that Wiley C. Tunstall having receive a majority of all the votes cast, was duly and constitutionally elected solicitor of the city court of Anniston for the term prescribed by law.

The president of the senate, then declared that the purpose of the joint convention of the two houses having been accomplished, the joint convention was dissolved. The senate then returned to its chamber, and resumed the consideration of the regular order of business.

The senate resumed consideration of

BILLS ON THIRD READING.

The bill,

H. 136. For the protection of the creditors of any insolvent and failing corporation against preferences made or suffered by the directors, officers or managers of such corporation in the payment or security of debts,

Was taken up.

On motion of Mr. Pettus the further consideration of the bill was postponed and made the special order on Monday next immediately after reading the journal.

The bill,

s. 97. To regulate the use of the great seal of the State,

Was read a third time and passed—yeas 19, nays 1.

Yeas:

Messrs. President, Boykin, Brooks, Case, Cunning-

ham, Day, Deans of Shelby, Grant, Hawkins, Hollis, Kilpatrick, Lee, McElderry, Moody, Nolen, Robinson, Smith, Sowell, Walker—19.

Mr. Deens of Covington voted No—1.

The bill,

s. 37. For the relief of Charles M. Flannigan,

Was taken up.

The pending amendment was adopted and the bill as amended

Was read a third time and passed—yeas 22, nays 0.

Yeas:

Messrs. President, Boykin, Brooks, Brown, Case, Cunningham, Day, Deans of Shelby, Deens of Covington, Grant, Hall, Hawkins, Hollis, Kilpatrick Lee, Matthews, McElderry, Nolen, Robinson, Smith, Sowell, Walker—22.

The bill,

H. 157. To provide for a finance committee for Covington county, Alabama, and to prescribe the powers and duties thereof,

Was read a third time and passed—yeas 22, nays, 0.

Yeas:

Messrs. President, Bethune, Boykin, Brewer, Brooks, Case, Cunningham, Day, Deans of Shelby, Deens of Covington, Grant, Hall, Hawkins Hollis, Kilpatrick, Lee, McElderry Nolen, Pettus, Robinson, Smith, Sowell, Walker—22.

The bill,

s. 99. To amend section one of an act approved February 13th, 1891, entitled "an act to amend an act entitled an act for the relief of needy confederate soldiers and sailors, residents of Alabama, who from wounds or other causes are now unable to earn a livelihood, and for the widows of such as were killed or died in said war and have not since re-married, approved Feb. 18th, 1895,

Was taken up.

Mr. Case offered an amendment, which on motion of Mr. McElderry was laid on the table.

Mr. Brown offered the following amendment which was adopted, as follows:

Amend by inserting in the caption of the bill after words "died in" the words "or since."

Mr. Brown also moved to amend section 1 by inserting after the words "during" in line 17, on page 2, the words "or since," which was adopted.

The bill as amended

Was read a third time and passed—yeas 21, nays 0.

Yeas:

Messrs. Bethune, Boykin, Brewer, Brown, Case, Cunningham, Day, Deans of Shelby, Deens of Covington, Grant, Hall, Hawkins, Hollis, Kilpatrick, Lee, Moody, Nolen, Robinson, Smith, Sowell, Walker—21.

The bill,

H. 213. To levy a license tax, State and county, on all peddlers of medicines, drugs or articles of like character in the counties of Macon, Jefferson, Calhoun, Autauga, Bullock, Tallapoosa, Marengo, Monroe, Lee, Talladega, Clarke, Montgomery, Coffee, Barbour, Morgan, DeKalb, Wilcox, Elmore, Dallas, Sumter, Tuscaloosa, Russell, Chambers and Greene,

Was taken up.

Mr. Grant moved to amend by striking out Clarke county from the provisions of the bill,

Adopted.

Mr. Day also moved to strike out Morgan county from the bill,

Adopted.

The bill as amended

Was read a third time and passed—yeas 16, nays 1.

Yeas:

Messrs. Bethune, Boykin, Brewer, Cunningham, Grant, Hall, Hawkins, Hollis, Kilpatrick, Lee, Mat-Moody. Nolen, Pettus, Sowell, Walker—16.

Mr. Robinson voted No—1.

The bill,

S. 8. To establish a uuiform series of text-books for the public schools of the State, and to prescribe the mode of selecting the same,

Was taken up.

Mr. Brewer moved to amend the bill by striking out Lowndes and St. Clair counties from the provisions thereof.

On motion of Mr. Pettus the further consideration of the bill was postponed until Monday next, and made the special order at 12 o'clock M., and 100 copies were ordered to be printed.

The bill,

s. 29. To provide for the better support of the public schools of Escambia county, Alabama,

Was taken up.

On motion of Mr. McElderry, the bill was recommitted to the judiciary committee,

And on motion of Mr. Sayre (Mr. Moody presiding), the committee was instructed to investigate and report to the senate on the constitutionality of the bill.

The bill,

s. 75. To amend an act entitled an act, approved February 21, 1893, "To authorize the probate judge of DeKalb, Limestone, and Crenshaw counties to call a special school board of education to select a uniform series of standard school books, to be used in the public schools of DeKalb, Limestone and Crenshaw counties, Alabama,"

Was taken up.

The substitute reported by the committee was adopted.

And the bill as amended,

Was read a third time and passed—yeas 19, nays 0.

Yeas:

Messrs. Bethune, Brown, Case, Day, Dean of Shelby, Grant, Hall, Hawkins, Hollis, Kilpatrick, Lee, Matthews, McElderry, Moody, Nolen, Pettus, Robinson, Smith, Sowell—19.

The bill,

H. 40. To create a separate school district in the town of Oakman, Alabama, to define the boundaries thereof and provide for the maintenance of schools thereof,

Was read a third time and passed—yeas 22, nays 0.

Yeas:

Messrs. President, Bethune, Boykin, Brewer, Brown, Case, Cunningham, Day, Deans of Shelby, Grant, Hall, Hawkins, Hollis, Lee, Matthews, McElderry, Moody, Nolen, Pettus, Robinson, Smith, Sowell—22.

The bill,

H. 6. To exempt township trustees of public schools

in the counties of Fayette, Colbert, Lauderdale, Tallapoosa, Morgan, Bullock, Randolph, Elmore, Pickens, Marion and Baldwin, from poll tax and public road duty,

Was taken up.

Mr. Day moved to amend the bill by striking out the words Morgan county, where they appear in the caption and body of the bill.

Adopted.

Mr. McElderry moved to amend by striking out of the title and body of the bill the words "poll tax" wherever they occur.

Adopted.

On motion, the bill and amendments were recommitted to the committee on commerce and common carriers.

The bill,

H. 140. To amend an act entitled "an act to constitute the city of Tuscaloosa a separate school district and to provide for the management of the public schools in said school district," approved Feb. 17, 1885, by the addition of section 14 in reference to the receipt and disbursement of the school fund of said district, and section 15 in reference to the taking of the school census,

Was read a third time and passed—yeas 22, nays 0.

Yeas:

Messrs. President, Bethune, Boykin, Brown, Case, Cunningham, Day, Deans of Shelby, Grant, Hall, Hawkins, Hollis, Kilpatrick, Lee, Matthews, McElderry, Moody, Nolen, Pettus, Robinson, Smith, Sowell—22.

The bill,

H. 81. To secure copyrights for the books of the State, and to relieve J. K. Jackson, Secretary of State, from all liability for certain copies of supreme court reports, and of the code of 1886, and two copies of the acts of 1894–5,

Was read a third time and passed—yeas 20, nays 0.

Yeas:

Messrs. President, Bethune, Boykin, Brown, Case, Cunningham, Day, Deans of Shelby, Grant, Hall, Hawkins, Hollis, Kilpatrick, Matthews, Moody, Nolen, Pettus, Robinson, Smith, Sowell—20.

ADJOURNMEMT.

On motion of Mr. Sowell, at 1:47 o'clock P. M., the senate adjourned till 10:30 o'clock Friday morning.

FIFTEENTH DAY.

FRIDAY, November 27th, 1896.

The senate met pursuant to adjournment.
Prayer by Rev. Mr. Thompson of the city.
Present,
Messrs. President, Abercrombie, Bethune, Boykin, Brown, Buchanan, Case, Cunningham, Day, Deens of Covington, Grant, Hall, Hawkins, Hogue, Hollis, Kilpatrick, Lee, McElderry, Moody, Nolen, Pettus, Robinson, Smith, Sowell, Thomason—25.

READING OF JOURNAL.

Mr. Pettus moved that the reading of the journal be dispensed with, which was carried.

LEAVE OF ABSENCE.

Leave of absence was granted to Mr. Hundley for to-day and to-morrow, and to Mr. Matthews for to-day on account of sickness, and to the doorkeeper of the gallery for to-day.

INTRODUCTION OF BILLS.

On the call of the districts, bills were introduced, read and referred to appropriate committees, as follows:

By Mr. Brown—
S. 130. To create a separate school district to be

known as the Blountsville School District, in Blount county,

Education;

Also,

s. 131. To authorize the secretary of State to dispose of certain books belonging to the State,

Printing;

Also,

s. 132. To require passenger trains to be stopped at Bangor, in Blount county, to receive and discharge passengers,

Commerce and common carriers;

Also,

s. 133. To amend section 3430 of the code of 1886,

Judiciary;

Also,

s. 134. To amend section 2936 of the code of 1886,

Judiciary;

Also,

s. 135. To amend section 4 of an act entitled "an act to dispose of lands which have been or which may hereafter be sold for taxes and bid in for the State, and which have not been redeemed or purchased from the State," approved February 9th, 1895,

Finance and taxation;

Also,

s. 136. To repeal an act entitled "an act for the relief of persons who have purchased lands from the State, which lands were bid off for the State at tax sale, and from any cause were not subject to sale by the State," approved February 18th, 1895,

Finance and taxation;

By Mr. Hall—

s. 137. To prohibit county commissioners from issuing interest bearing warrants or claims against their counties,

Finance and taxation;

By Mr. McElderry (by request)—

s. 138. To amend sections 1, 3, 6, 10 and 13, of an act entitled an act to amend an act entitled an act to incorporate the Alabama Baptist Colored Normal and

known as the Blountsville School District, in Blount county,

Education;

Also,

s. 131. To authorize the secretary of State to dispose of certain books belonging to the State,

Printing;

Also,

s. 132. To require passenger trains to be stopped at Bangor, in Blount county, to receive and discharge passengers,

Commerce and common carriers;

Also,

s. 133. To amend section 3430 of the code of 1886,

Judiciary;

Also,

s. 134. To amend section 2936 of the code of 1886,

Judiciary;

Also,

s. 135. To amend section 4 of an act entitled "an act to dispose of lands which have been or which may hereafter be sold for taxes and bid in for the State, and which have not been redeemed or purchased from the State," approved February 9th, 1895,

Finance and taxation;

Also,

s. 136. To repeal an act entitled "an act for the relief of persons who have purchased lands from the State, which lands were bid off for the State at tax sale, and from any cause were not subject to sale by the State," approved February 18th, 1895,

Finance and taxation;

By Mr. Hall—

s. 137. To prohibit county commissioners from issuing interest bearing warrants or claims against their counties,

Finance and taxation;

By Mr. McElderry (by request)—

s. 138. To amend sections 1, 3, 6, 10 and 13, of an act entitled an act to amend an act entitled an act to incorporate the Alabama Baptist Colored Normal and

Mr. President:

The joint committee appointed to suggest a time for adjournment of the general assembly for the recess and for its reassembling have considered the same and respectfully recommend the following:

That the general assembly adjourn on Wednesday, December 9, 1896, and re-assemble on Wednesday, January 20th, 1897.

ISAAC GRANT,
Committee on part of senate.
W. C. DAVIS,
W. B. BEESON,
A. Y. GLOVER,
Committee on part of house.

On motion of Mr. Hogue, the consideration of the report was postponed till to-morrow.

Mr. Abercrombie, from a select joint committee, submitted the following report:

Mr. President:

The joint committee, to whom was referred the duty of inviting J. H. Fitts, Esq,, of Tuscaloosa, Ala., to read a paper before the general assembly on "the legislation of Alabama pertaining to her State University," beg leave to report that the invitation has been extended and accepted; and that the date agreed upon is Friday, Nov. 27th, 1896, at 12 o'clock, M.

JOHN W. ABERCROMBIE,
Senate Committeeman.
M. L. STANSEL,
CECIL BROWNE,
House Committee.

Which on motion of Mr. Pettus was referred to the committee on rules.

Mr. Hogue from a select committee submitted the following report:

To the senate and house of representatives:

The joint committee adpointed to visit and inspect the State Institutions at Talladega, ask leave to report as follows:

1st. They have thoroughly inspected said institutions from dormitory to workshop, and find that a perfect system of cleanliness and order pervades the same.

2d. The course of instruction pursued in said institution tends to the highest mental, moral and physical development of those cared for therein.

3d. The pupils, almost without exception, seem to appreciate the opportunities afforded them by the beneficence of the State, and to be using the same to their utmost capacity.

4th. The present buildings are insufficient to suitably accomodate the pupils now in attendance, the dormitories being greatly overcrowded, and in some cases, as the committee believes, to such an extent as to violate the laws of health. The erection of additional buildings would greatly increase the usefulness of the institution, and make room for the increasing number of the classes cared for in these institutions.

5th. The sanitary conditions at the institute for the blind are at present a menace to the health of the pupils of that institution, by reason of insufficient sewerage.

6th. The superintendent, Mr. J. H. Johnson, is entitled to commendation for the skill and tact with which he has selected his efficient corps of assistants and his able faculty, and for the high order of executive ability displayed in the control and management of the affairs these several institutions.

7th. In the opinion of your committee these institutions are being economically conducted and on the most elevated plans and are entitled to the highest consideration at the hands of the State.

Respectfully submitted:

Committee on part of the senate:

W. F. Hogue,
Geo. N. Buchanan,

Committee on part of the house of representatives:

J. J. Mitchell,
W. B. Cameron.
T. A. Long.

The report of the committe was received and the committee discharged.

RESOLUTIONS.

Mr. Brewer offered the following joint resolution, which was referred to the committee on rules:

Be it resolved, by the senate, the house concurring, That a joint committee be appointed, consisting of two on the part of the senate and three on the part of the house to investigate and report to the general assembly the condition of the two and three per cent. fund, and what disposition shall be made of it.

REPORTS OF COMMITTEES.

Bills were reported from committees and read a second time as follows:

By Mr. Brewer, from finance and taxation, favorably with amendment,

s. 112. To regulate the purchase of stationery and other articles by the officials of Lowndes county;

Also, with amendment,

s 129. For the release of Jesse Sloan, J. T. Miller, James B. Marsh, Reuben C. Davis, C. C. Davis, W. E. Quinn, E. S. Killion ond B. H. Nicholson, from the payment of the official bond of S. D. Monroe, ex-county treasurer of DeKalb county, Alabama.

Mr. Pettus asked and obtained the consent of the senate for the judiary committee to sit during the session of the senate to-day.

MESSAGE FROM THE HOUSE.

Mr. President:

The house has originated and passed the following bills:

H. 109. To regulate the manner of making contracts by the commissioners court of Cullman county, Alabama, for erecting or repairing public buildings or bridges in the county;

And has adopted the joint resolution herewith sent, providing for a joint session of the two houses in the hall of the house at 12 M. to-day to listen to the address of Mr. Jas. Fitts, of Tuscaloosa, who was heretofore invited to read a paper before the general assembly;

And the speaker of the house having signed the following bills your signature is requested thereto:

H 35. To amend section 3262 of the code;

H. 77. To provide for the registration and payment of the fees of State's witnesses before the grand juries in cases where the defendant is not arrested within three years from date of the indictment and for the payment into the fine and forfeiture fund of said fees if subsequently collected;

H. 200. For the preservation and pretection of the quail commonly called partridge, in the county of Hale;

H. 95. To amend an act entitled an act to fix times and regulate the holding of the courts in the eighth judicial circuit of the State of Alabama, approved February 6th, 1895;

H. 81. To secure copyrights for the books of the State and to relieve J. K. Jackson, Secretary of State, from all liability for certain copies of supreme court reports and of the code of 1886 and two copies of the acts of 1894-5;

H. 140. To amend an act entitled "an act to constitute the city of Tuscaloosa a separate school district and to provide for the management of the public schools in said school district," approved February 17, 1885, by the addition of section 14 in reference to the receipt and disbursement of the school fund of said district, and section 15 in reference to the taking of the school census;

H. 157. To provide for a finance committee for Covington county, Alabama, and to prescribe the powers and duties thereof.

MASSEY WILSON, Clerk.

SIGNING OF HOUSE BILLS.

The president of the senate, in the presence of the senate immediately after their titles had been publicly read by the secretary, signed the house bills, the titles of which are set forth in the foregoing house message:

HOUSE MESSAGES.

The house bill in the foregoing house message was

read once and referred to the appropriate committee as follows:

H. 109, to judiciary.

The house joint resolution just received relative to the reading of a paper to-day before the two houses of the general assembly by James H. Fitts, was referred to the committee on rules.

RECONSIDERATION OF VOTE.

On motion of Mr. Brown the vote by which the bill

s. 99. To amend section one of an act approved February 13th, 1891, entitled "an act to amend an act entitled an act for the relief of needy confederate soldiers and sailors, residents of Alabama, who from wounds or other causes are now unable to earn a livelihood, and for the widows of such as were killed or died in said war and have not since re-married, approved Feb. 18th, 1895,

Was passed on yesterday.

He moved to re-consider the vote by which the bill was ordered to the third reading,

Carried.

Mr. Brown moved to amend the caption of the bill by striking out the words "or since" after the words "or died in," in the caption of the bill,

Adopted.

And the bill was amended,

Was read a third time and passed—yeas 23, nays 0.

Yeas.

Messrs. President, Bethune, Boykin, Brewer, Brown, Buchanan, Case, Cunningham, Day, Grant, Hall, Hawkins, Hollis, Kilpatrick, Lee, McElderry, Moody, Nolen, Pettus, Robinson, Smith, Sowell—22.

REPORT OF COMMITTEE ON RULES.

The president of the senate, Mr. Pettus presiding, reported a substitute for the house joint resolution relative to the address by Hon. J. H. Fitts, before the two houses of the general assembly to-day, as follows:

Resolved by the House, the Senate, concurring, That the two houses recess from 12:30 until 2 o'clock (November 27th,) for the purpose of hearing the address of Hon. J. H. Fitts.

The report was concurred in, and the resolution, as amended, was concurred in.

BILLS ON THIRD READING.

s. 102. To amend an act to relieve married women of their disability of minority, approved Feb. 1895,

Was read a third time and passed—yeas, 20, nays, 0.

Yeas:

Messrs. President, Bethune, Boykin, Brewer, Brown, Cunningham, Day, Grant, Hall, Hawkins, Kilpatrick, Lee, McElderry, Moody, Nolen, Pettus, Robinson, Sowell, —17.

The bill,

s. 13. To amend section 2933 of the Code of Alabama.

The amendment reported by the committee was adopted and,

The bill as amended, was read a third time and passed—yeas 17, nays, 0.

Yeas:

Messrs. Bethune, Boykin, Brown, Buchanan, Case, Cunningham, Day, Grant, Hall, Hawkins, Hollis, Lee, McElderry, Moody, Nolen, Robinson, Sowell—17.

The bill,

s. 106. To fix the times and places of holding the chancery courts, in the north-eastern chancery division,

Was read a third time and passed—yeas 19, nays 0.

Yeas:

Messrs. Bethune, Boykin, Brewer, Brown, Buchanan, Case, Cunningham, Grant, Hall, Hawkins, Hogue, Hollis, Kilpatrick, Lee, McElderry, Moody, Nolen, Pettus, Robinson, Sowell—19.

The bill,

H. 10. To amend section 3875 of the Code of Alabama,

Was read a third time and passed—yeas 19, nays 1.

Yeas:

Messrs. President, Bethune, Boykin, Brewer, Brown,

Buchanan, Cunningham, Day, Grant, Hawkins, Hogue, Hollis, Kilpatrick, Lee, McElderry, Nolen, Pettus, Robinson, Sowell,—19.

Mr. Case voted nay—1.

The bill,

H. 182. To make all fines assessed upon condition for misdemeanors in Morgan county, Alabama, payable in money,

Was read a third time and passed—yeas, 21, nays, 0.

Yeas:

Messrs. President, Bethune, Boykin, Brewer, Brown, Buchanan, Case, Cunningham, Day, Grant, Hall, Hawkins, Hogue, Hollis, Kilpatrick, Lee, McElderry, Nolen, Pettus, Robinson, Sowell--21.

The bill,

H. 7. To amend section 3407 of the Code of Alabama so far as the same applies to Fayette county,

Was taken up and considered,

On motion of Mr. McElderry, the bill was re-committed to the judiciary committee.

The bill,

H. 175. To amend section 2071 of the Code of Alabama,

Was taken up.

Mr. Brown offered the following amendment:

Amend by inserting before the words $2.00 the words "not less than $1, nor more than."

On motion of Mr. Bethune, the amendment was laid on the table,

And the bill was read a third time and passed—yeas 23, nays, 0.

Yeas.

Messrs. President, Bethune, Boykin, Brewer, Brown, Buchanan, Case, Cunningham, Day, Grant, Hall, Hawkins, Hogue, Hollis, Kilpatrick, Lee, McElderry, Moody, Nolen, Pettus, Robinson, Smith, Sowell—23.

The bill,

H. 110. To regulate the summoning and attendance of witnesses in civil causes in the circuit and city courts in Cullman county, Alabama,

Was read a third time and passed—yeas 22, nays 0.

Yeas:

Messrs. President, Bethune, Boykin, Brewer, Brown, Buchanan, Case, Cunningham, Day, Grant, Hall, Hawkins, Hogue, Hollis, Kilpatrick, Lee, McElderry, Moody, Nolen, Pettus, Robinson, Sowell—22.

The bill,

H. 83. To require members of the court of county commissioners in Madison county to give bond for the faithful performance of their official duties,

Was read a third time and passed—yeas 21, nays 0:

Yeas:

Messrs. President, Bethune, Boykin, Brewer, Brown, Case, Cunningham, Day, Grant, Hall, Hawkins, Hogue, Hollis, Kilpatrick, Lee, Moody, Nolen, Pettus, Robinson, Smith, Sowell—21.

The bill,

H. 9. To repeal an act entitled an act to provide for the protection and preservation game, animals and birds in Fayette county,

Was read a third time and lost—yeas, 5, nays, 14.

Yeas:

Messrs. Bethune, Boykin, Lee, Pettus, Smith—5.

Nays:

Messrs. Bewer, Brown, Buchanan, Case, Day, Grant, Hall, Hawkins, Hogue, Hollis, Kilpatrick, Nolen, Robinson, Sowell—14.

The bill,

H. 16. To amend section 1 of an act to protect outstanding crops in the county of Mobile, approved February 27, 1889,

Was read a third time and passed—yeas, 20, nays 0.

Yeas:

Messrs. President, Bethune, Boykin, Brewer, Brown, Buchanan, Case, Grant, Hall, Hawkins, Hogue, Hollis, Kilpatrick, Lee, McElderry, Nolen, Pettus, Robinson, Smith, Sowell—20.

The bill,

H. 150. For the preservation of game, animals and birds in the county of Bibb,

Was read a third time and passed—yeas, 21, nays, 0.

Yeas:

Messrs. President, Bethune, Brewer, Brown, Buchanan, Case, Day, Grant, Hall, Hawkins, Hogue Hollis,

Kilpatrick, Lee, McElderry, Moody, Nolen, Pettus, Robinson, Smith, Sowell—21.

The bill,

H. 37. To authorize the filing and recording of certain deeds and conveyances therein named, in the office of the probate judges of the counties of Walker, Marion, Lamar and Fayette,

Was read a third time and passed—yeas, 21, nays, 0.

Yeas:

Messrs. President, Abercrombie, Bethune, Brown, Buchanan, Case, Day, Grant, Hall, Hawkins, Hogue, Hollis, Kilpatrick, Lee, McElderry, Moody, Nolen, Robinson, Smith, Sowell, Thomason—21.

The bill,

H. 46. For the preservation and protection of birds in Chambers county,

Was read a third time and passed—yeas 19, nays 0.

Yeas:

Messrs. President, Abercrombie, Bethune, Boykin, Brown, Buchanan, Case, Day, Hall, Hawkins, Hogue, Hollis, Kilpatrick, McElderry, Nolen, Robinson, Smith, Sowell, Thomason—19.

The bill,

S. 7. To regulate the holding of primary elections for the selection of delegates to political conventions and the nomination of candidates for any office to be filled by election,

Was taken up.

On motion of Mr. Abercrombie the further consideration of the bill was postponed, and made the special order on Wednesday, December 2d, 1896, at 12 M.

The bill,

S. 33. To amend an act to allow county commissioners in each county to appropriate a sufficient sum to pay armory rent for military companies located in their respective counties, approved February 18, 1895.

Was read a third time and passed—yeas 18, nays 3.

Yeas:

Messrs. President, Abercrombie, Bethune, Boykin, Brewer, Brown, Buchanan, Case, Cunningham, Day, Grant, Hall, Hawkins, Lee, Moody, Smith, Sowell, Thomason—18.

Nays:
Messrs. Hogue, Hollis, Robinson—3.

MESSAGE FROM THE HOUSE.

Mr. President:

The house has concurred in the senate amendment to the house joint resolution relative to the address of Mr. Fitts to-day at 12:30 o'clock P. M.,

And has non concurred in the senate amendment to the house bill,

H. 213. To levy a iicense tax, State and county, on all peddlers of medicines, drugs or articles of like character in the counties of Macon, Jefferson, Calhoun, Autauga, Bullock, Tallapoosa, Marengo, Monroe, Lee, Talladega, Clarke, Montgomery, Coffee, Barbour, Morgan, DeKalb, Wilcox, Elmore, Dallas, Sumter, Tuscaloosa, Russell, Chambers and Greene,

And requests a committee on conference thereon.

Committee on the part of the house: Messrs. Kyle, Long and Wood of Macen.

MASSEY WILSON,
Clerk.

HOUSE MESSAGE.

The senate acceded to the request of the house on the senate amendments to the house bill, H. 213,

And the president of the senate announced as the conferees on the part of the senate Messrs Grant, Day and Sowell.

The senate resumed consideration of

BILLS ON THIRD READING.

The bill,

S. 88. To authorize the governor to sell and convey certain lot or parcel of land situated near Montgomery, Alabama, belonging to the State,

Was read a third time and parsed—Yeas 22, nays 0.

Yeas:

Messrs. President, Abercrombie, Bethune, Boykin, Brewer, Brown, Buchanan, Case, Cunningham, Day, Grant, Hall, Hawkins, Hogue, Kilpatrick, Lee, Moody, Nolen, Robinson Smith, Sowell, Thomason—22.

The bill,

s. 89. To authorize the city council of Montgomery to issue bonds for the purpose of borrowing money to pave or otherwise improve the streets of the city of Montgomery,

Was read a third time and passed—yeas 20, nays 0.

Yeas:

Messrs. President, Abercrombie, Bethune, Boykin, Brown, Buchanan, Case, Cunningham, Day, Hall, Hawkins, Hogue, Hollis, Lee, McElderry, Nolen, Robinson, Smith, Sowell, Thomason—20.

The bill.

s. 90. To amend sections 1 and 7 of an act entitled an act to provide a system of water works for the city of Montgomery, approved the 26th day of January, 1891,

Was read a third time and passed—yeas 23, nays 0.

Yeas:

Messrs. President, Abercrombie Bethune, Boykin, Brewer, Brown, Buchanan, Case, Cunningham, Day, Grant, Hall, Hawkins, Hogue, Hollis, Lee, McElderry, Moody, Nolen, Robinson, Smith, Sowell, Thomason—23.

The bill,

s. 91. To amend sections 1, 9, 21, 43, 50, 72, 92 and 98 of "an act to establish a new charter for the city of Montgomery," approved February 21,1893; and sections 1, 2, 3, 4, 5, 12, 17, 20, 22, 25, 30, 31, 32, 35 and 37 of "an act to amend sections 3, 5, 6, 7, 10, 11, 12, 15, 17,18, 24, 27, 35, 37, 38, 42, 52, 53, 54, 55, 57, 59, 60, 61, 62, 65, 66, 71, 73, 77, 78, 79, 81, 83, 84, 85 and 96, and to repeal section 82 of an act to establish a new charter for the city of Montgomery, approved February 21, 1893," approved February 18th, 1895,

Was taken up.

Mr Sayre (Mr. Pettus presiding) offered an amendment.

Pending its consideration the hour of 12:30 o'clock

P. M., arrived, and in pursuance of the joint resolution the senate took an informal recess till 2 o'clock to-day.

ADJOURNMENT.

At the hour of 2:15 o'clock P. M., the senate having been called to order by the president, on motion of Mr. Abercrombie the senate adjourned until 10:30 o'clock to-morrow morning.

SIXTEENTH DAY.

SATURDAY, November 28th, 1896.

The senate met pursuant to adjournment.

Prayer by the Rev. Mr. Thompson of the city.

Present:

Messrs. President, Abercrombie, Bethune, Boykin, Brewer, Brown, Buchanan, Case, Cunningham, Day, Grant, Hall, Hawkins, Hogue, Hollis, Kilpatrick, Lee, Matthews, McElderry, Moody, Nolen, Robinson, Smith, Sowell—24.

On motion of Mr. Sowell, the reading of the journal was dispensed with.

LEAVE OF ABSENCE.

Leave of absence was granted to Messrs. Thomason and Deans of Shelby for to-day, and to Mr. Boykin for Monday, and to Mr. Hall for the remainder of to-day, and to Mr. Deens of Covington until 10 o'clock on Monday.

INTRODUCTION OF BILLS.

On the call of the districts, bills were introduced, read the first time and referred to appropriate committees as follows:

By Mr. Brown—

s. 145. To create a separate school district to be

known as the Joppa School District, in Marshall, Morgan and Cullman counties, Alabama,

Education;

Also,

s. 146. To amend sections one and five of an act entitled "an act to provide record books and stationery for the office of the probate judge of Blount county, for use in the western division of said county, and to require such judge to keep the books, records and papers, so provided for, at the court house at Bangor, or within one mile thereof, and to keep a clerk, who shall have authority in the name of the probate judge to do and perform all ministerial acts which are, or may be by law, required to be performed by such probate judge in said western division, and to provide for the holding of probate courts at Bangor," approved February 14, 1893,

Judiciary;

Also,

s. 147. To amend section five of an act entitled "an act to regulate the times of holding circuit courts in the western division of Blount county, and to provide records therefor, and to require the clerk of the circuit court of said county to keep a deputy clerk and office at Bangor, in said western division," approved December 13th, 1892,

Judiciary;

By Mr. Moody—

s. 148. To authorize and require an election to be held in this State concerning the regulation of the sale, giving away or delivery of spirituous, vinous and malt liquors in this State and to declare the effect of such election,

Temperance;

By Mr. Matthews—

s. 149. To amend section 1319 of the code,

Finance and taxation;

By Mr. Pettus—

s. 150. To authorize the Southern Railway Company to discontinue the use of that part of its railroad west of the town of York, in Alabama, in the direction of Lauderdale Station, in Mississippi,

Commerce and common carriers;

By Mr. Kilpatrick—

s. 151. To change the corporate name of the Montgomery, Hayneville and Camden Railroad, to that of the Montgomery, Hayneville and Camden Railroad Company,

Commerce and common carriers;

By Mr. Brewer—

s. 152. To require passenger trains on railways in this State to stop at the station nearest the court house town of every county in this State, and to prescribe who shall establish such station, and to fix penalties for the violation of such requirement,

Commerce and common carriers.

EXECUTIVE SESSION.

The president announced that a communication from the governor required an executive session, whereupon the doors of the senate chamber being closed, the senate went into executive session.

After some time spent therein, the doors of the senate were opened and the secretary of the senate was instructed to notify the governor of the action of the senate in executive session, and to spread the result thereof on the journal.

The senate, in executive session, confirmed the following appointments and nominations sent to the senate for their advice and approval, viz.:

For trustees of the Alabama Institute for Deaf, for the terms ending February 28th, 1901, William Taylor of Talladega, J. B. McMillan of Talladega, and J. C. Webb of Marengo, vice S. K. McSpadden, deceased.

For trustees of the Alabama Bryce Insane Hospital, J. B. Gaston of Montgomery, and E. Young of Hale, for terms ending January 3rd, 1902; J. Manley Foster of Tuscaloosa, and Dr. J. L. Williamson of Tuscaloosa, for terms ending January 3rd, 1900.

For trustees of the University of Alabama, Willis G. Clark of Mobile, John H. Caldwell of Calhoun, and M. L. Stansel, for terms ending March 1st, 1902, and William Richardson of Madison, vice R. Bornwell Rhept resigned, for a term ending March 1st, 1897.

MESSAGE FROM THE HOUSE.

Mr. President:

The speaker of the house having signed the following bills, your signature is requested thereto:

H. 175. To amend section 2071 of the Code of Alabama;

H. 110. To regulate the summoning and attendance of witnesses in civil causes in the circuit and city courts in Cullman county, Alabama;

H. 83. To require members of the court of county commissioners in Madison county to give bond for the faithful performance of their official duties;

H. 16. To amend section 1 of an act to protect outstanding crops in the county of Mobile, approved February 27, 1889;

H. 150. For the preservation of game, animals and birds in the county of Bibb;

H. 37. To authorize the filing and recording of certain deeds and conveyances therein named, in the office of the probate judges of the counties of Walker, Marion, Lamar and Fayette;

H. 46. For the preservation and protection of birds in Chambers county;

H. 49. To revive judgments and decrees against administrators *de bonis non* in cases where such judgments or decrees have been rendered against administrators in chief and such administrators in chief have died, been removed or have resigned before the payment of such judgment or decree.

MASSEY WILSON,
Clerk.

HOUSE BILLS SIGNED.

The president of the senate, in the presence of the senate, immediately after their titles had been publicly read by the secretary, signed the house bills, the titles of which are set forth in the foregoing house message.

REPORTS OF COMMITTEES.

Bills were reported from committees and read a second time as follows:

By Mr. McElderry, from judiciary, favorably—

S. 113. To regulate the holding of the circuit court of Marengo county, and to provide for the practice and proceedings therein;

Also,

S. 115. To repeal an act entitled an act to regulate the fees of the judge of the county court of Franklin county, Alabama;

Also, with substitute and amendment,

S. 29. To provide for the better support of the public schools of Escambia county, Alabama;

Also, favorably,

H. 11. To provide for the registration and lien of judgment for the payment of money in the courts of justice of the peace in Lamar, Calhoun, Monroe, Barbour, Walker, Baldwin, Etowah, Macon, DeKalb, Fayette, Bibb, Sumter, Tallapoosa, Chilton and Madison counties;

Also,

H. 79. To authorize and require the commissioners' court of Lamar county to set apart and appropriate money from the general fund of said county, with which to pay and discharge certificates of State witnesses issued by the foreman of the grand jury and by the clerk of the circuit court of said county, fees which by law became a good claim against the fine and forfeiture fund of said county, after the approval of this act, and to regulate the manner of said payments and fixing the amount of said witness fees;

Also,

H. 17. To amend section 1 and 2 of an act to change the mode of compensating the solicitor for the county of Mobile, approved December the 9th, 1886;

Also.

H. 141. To prohibit the law partner or partners of circuit, city or county solicitors of this State from defending cases in any court in this State where said solicitor prosecutes;

Also,

H. 187. To amend an act entitled an act to incorporate the city of Tuskaloosa, approved March the 12th, 1873, by the addition of section 104, authorizingf the mayor and aldermen of the city of Tuskaloosa to require railroad companies operating railroads over the public streets of said city, to keep electric lights, or lights of equal power, at all points where such railroads cross the public streets of said city of Tuskaloosa;

Also,

H. 152. To amend section 2571 of the code of 1886.

H. 169. To amend section 3874 (4419, 4120) of the code of Alabama, 1886;

By Mr. Brewer, from finance and taxation, favorably,

H. 159. To donate twenty-five (25) copies of the Code of Alabama of the year 1886 to the law library of the State University.

Also,

H. 29. To authorize the corporate authorities of the city of Decatur to assess, levy and collect a special tax for fire protection;

Also,

S. 98. For the relief of L. W. McRae, of Washington county;

By Mr. Hogue, from local legislation, favorably—

S. 118. To amend section one of an act approved February 22d, 1887, entitled an act to amend section one of an act entitled an act or the protection and preservation of game animals and birds in Perry county, approved February 7th, 1885;

H. 191. For the better preservation of game in Calhoun county, Alabama;

Also,

H. 216. To amend section seven of an act entitled an act to prevent stock from running at large in certain portions of Hale and Tuskaloosa counties, approved February 21, 1887;

By Mr. Grant, from printing, favorably—

S. 131. To authorize the secretary of State to dispose of certain books belonging to the State;

By Mr. McElderry, from judicary, favorably, with amendment—

H. 109. To regulate the manner of making contracts br the commissioners court of Cullman couuty, Alabama, for erecting or repairing public buildings or bridges in the county.

RE-CONSIDERATION OF VOTE.

On motion of Mr. Kilpatrick the vote was reconsidered by which the bill,

H. 10. To amend section 3875 of the Code of Alabama,

Was passed on yesterday,

The vote by which the bill was ordered to a third reading was, also re-considered,

And, on motion of Mr. Kilpatrick, the bill was re-committed to the judiciary committee.

Mr. Hogue moved to re-consider the vote by which the bill,

H. 9. To repeal an act entitled an act to provide for the protection and preservation of game, animals and birds in Fayette county,

Was lost on yesterday.

Mr. Hollis moved to lay the motion to re-consider on the table,

Lost.

Yeas 7, nays 13.

Yeas:

Messrs. Buchanan, Case, Day, Hollis, Kilpatrick, Nolen, Robinson—7.

Nays:

Messrs. President, Abercrombie, Bethune, Boykin, Brewer, Brown, Grant, Hawkins, Hogue, Matthews, McElderry, Smith, Sowell—13.

The vote by which the bill passed was re-considered, and the further consideration of the bill, passed informally.

MESSAGE FROM THE HOUSE.

Mr. President:

The house has originated and passed the following bills:

H. 4. To make appropriations for the executive, legislative and judicial departments of the State, for interest on the public debt, and for public schools;

H. 171. To authorize and empower the mayor and council of the town of Athens to issue and sell bonds of said town to an amount not exceeding fifteen thousand dollars, falling due not more than thirty years from their date, bearing not exceeding six per cent. interest payable semi-annually, for the purpose of establishing and operating a first class system of water works in and for said town and its inhabitants;

H. 218. To provide for the compensation of jurors in the county court of Bibb county;

H. 220. To authorize the solicitor of the north judicial circuit to appoint a deputy solicitor for the western division of Blount county.

MASSEY WILSON, Clerk.

HOUSE MESSAGES.

The house bills in the foregoing house message were severally read once and referred to appropriate committees:

H. 218, 220, to judiciary;

H. 171, to corporations;

H. 4, to finance and taxation.

REPORT OF THE COMMITTEE ON RULES.

The president of the senate, (Mr. Cunningham presiding), from the committee on rules, reported favorably the following resolution:

Resolved by the senate, That the clerk of the senate committees on finance and taxation and corporations be paid $4.00 per day.

The report was concurred in, and the resolution adoptod.

UNFINISHED BUSINESS.

The senate next considered the bill and amendment,

pending at the hour of adjournment on yesterday, which was,

The bill,

s. 91. To amend sections 1, 9, 21, 43, 50, 72, 92 and 98 of "an act to establish a new charter for the city of Montgomery," approved February 21, 1893; and sections 1, 2, 3, 4, 5, 12, 17, 20, 22, 25, 30, 31, 32, 35 and 37 of "an act to amend sections 3, 5, 6, 7, 10, 11, 12, 15, 17, 18, 24, 27, 35, 37, 38, 42, 52, 53, 54, 55, 57, 59, 60, 61, 62, 65, 66, 71, 73, 77, 78, 79, 81, 83, 84, 85 and 96, and to repeal section 82 of an act to establish a new charter for the city of Montgomery, approved February 21, 1893," approved February 18th, 1895,

And the amendment offered by Mr. Sayre.

The amendment adding section 24 to the bill,

Was adopted.

Mr. Sayre, (Mr. Cunningham presiding); offered the following amendment:

Amend title by inserting in 5th line between the figures "18" and "24" the figures "21,"

Which was adopted.

Mr. Sayre offered to further amend the bill by adding thereto section 25,

Which was adopted.

Mr. Sayre offered the following amendment:

Amend title by inserting in 5th line between the figures "27" and "35" the figures "33,"

Which was also, adopted.

The bill as amended,

Was read a third time and passed—yeas 21, nays 0.

Yeas:

Messrs. President, Abercrombie, Bethune, Boykin, Brewer, Brown, Buchanan, Case, Cunningham, Grant, Hall, Hawkins, Hogue, Hollis, Kilpatrick, Matthews, McElderry, Moody, Nolen, Smith, Sowell—21.

The further unfinished business was the report of the joint committee made by Mr. Grant on yesterday, on the time for a

RECESS OF THE GENERAL ASSEMBLY,

Which report is as follows:

Mr. President:

The joint committee appointed to suggest a time for the adjournment of the general assembly for the recess, and for its re-assembling have considered the same, and respectfully recommend the following:

That the general assembly adjourn on December 9th, 1896, and re-assemble on Wednesday, January 20th, 1897.

ISAAC GRANT,
Chairman.

The report was concurred in.

BILLS ON THIRD READING.

The bill,

H. 61. To regulate the time of holding regular terms of the commissioners' courts in Cullman county, Alabama,

Was read a third time and passed—yeas 19, nays 0.

Yeas:

Messrs. President, Abercrombie, Bethune, Boykin, Brewer, Brown, Buchanan, Case, Cunningham, Grant, Hall, Hawkins, Hollis, Kilpatrick, Lee, Matthews, Nolen, Smith, Sowell—19.

Ths bill,

H. 102. To amend an act entitled an act to incorporate the city of Tuscaloosa, approved March 12th, 1873, by the addition of section 103 authorizing the mayor and aldermen of the city of Tuscaloosa to require certain male inhabitants thereof to work the streets of said city, to adopt ordinances to carry out the powers so granted, and to punish all persons failing to perform such work,

Was read a third time and passed—yeas 18, nays, 0.

Yeas:

Messrs. President, Bethune, Brewer, Brown, Buchanan, Case, Cunningham, Grant, Hall, Hawkins, Hogue, Hollis, Kilpatrick, Matthews, Moody, Nolen, Smith, Sowell—18.

The bill,

S. 112. To regulate the purchase of stationery and other articles by the officials of Lowndes county,

Was taken up.

The pending amendment, which provides for adding the words "and Barbour" after the word "Lowndes" and the word "counties" instead of the word "county" where they occur in the caption and body of the bill,

Was adopted,

And the bill, as amended,

Was read a third time and passed—yeas 20, nays 0.

Yeas:

Messrs. Bethune, Boykin, Brewer, Brown, Buchanan, Case, Cunningham, Grant, Hall, Hawkins, Hogue, Hollis, Kilpatrick, Matthews, McElderry, Moody, Nolen, Robinson, Smith, Sowell—20.

The bill,

s. 129. For the release of Jessy Sloan, J. T. Miller, James B. Marsh, Reuben C. Davis, C. C. Davis, W. E. Quinn, E. S. Killion and B. H. Nicholson, from the payment of the official bond of S. D. Monroe, ex-county treasurer of DeKalb county, Alabama,

Was taken up and considered by the senate.

On motion of Mr. Moody, the bill with the pendiug amendment was re-committed to the judiciary committee.

MESSAGE FROM THE GOVERNOR.

STATE OF ALABAMA, EXECUTIVE DEPARTMENT,
OFFICE OF THE GOVERNOR,
MONTGOMERY, November 28th, 1896.

Mr. President:

By direction of the governor and in accordance with section 12 of article V. of the Constitution, I have the honor to hand you herewith list of reprieves, commutations and pardons granted by him together with his reasons therefor from December 1st, 1894, to November 27th, 1896.

Very respectfully,
W. J. VAIDEN.
Private Secretary.

The papers accompanying the message just received were referred to the committee on penitentiary.

MESSAGE FROM THE HOUSE.

Mr. President:

The house has passed the following senate bills:

s. 26. To relieve Laura C. Hill, of Montgomery county, of the disability of non-age;

s. 73. To incorporate the Montezuma University, of Bessemer, Alabama;

And has concurred in the report of the committee of conference on the disagreement of the two houses on the senate amendment to

H. 213. To levy a license tax, State and county, on all peddlers of medicines, drugs or articles of like character in the counties of Macon, Jefferson, Calhoun, Autauga, Bullock, Tallapoosa, Marengo, Monroe, Lee, Talladega, Clarke, Montgomery, Coffee, Barbour, Morgan, DeKalb, Wilcox, Elmore, Dallas, Sumter, Tuscaloosa, Russell, Chambers and Greene.

MASSEY WILSON,
Clerk.

REPORT OF COMMITTEE OF CONFERENCE.

Mr. Grant, from a committee of conference, submitted the following report:

Mr. President:

The committee of conference appointed to consider the disagreement of the two houses upon the senate amendment to house bill 213, beg leave to report as follows:

That the senate amendment to said bill be rescinded and withdrawn.

That section 2 of said bill be amended by adding after the words "travelling salesman from wholesale" the words "or retail."

That the caption and body of said bill be amended by striking out the word "Clarke" where it appears in said caption and body of said bill.

Committee on part of senate:

ISAAC GRANT,
Chairman.
BEN. M. SOWELL,
D. W. DAY.

Committee on part of house:

O. KYLE,
Chairman.
J. R. WOOD,
T. A. LONG.

On motion of Mr. Moody, the senate non-concurred in the report of the committee of conference, and requested a second committee of conference.

The president appointed as new conferrees on the part of the senate Messrs. Moody, Day and Sowell.

ADJOURNMENT.

At 1:50 P. M., on motion of Mr. Sowell, the senate adjourned until Monday morning at 10:30 o'clock.

SEVENTEENTH DAY.

MONDAY, November 30th, 1896.

The senate met pursuant to adjournment.

Prayer by Rev. Mr. Campbell of the house.

Present:

Messrs. President, Abercrombie, Bethune, Brewer, Brooks, Brown, Buchanan, Case, Cunningham, Day, Deans of Shelby, Deens of Covington, Grant, Hall, Hawkins, Hogue, Hollis, Hundley, Kilpatrick, Lee, Matthews, McElderry, Moody, Nolen, Pettus, Robinson, Smith, Sowell, Thomason, Walker—30.

INTRODUCTION OF BILLS.

On the call of the districts, bills were introduced, read the first time and referred to appropriate committees, as follows:

By Mr. Robinson—

s. 153. To fix the compensation of the governor of the State of Alabama, secretary of State, State auditor, State treasurer, attorney general, superintendent of education, chief justice and associate justices of supreme

court, chancellors, circuit court judges, circuit court solicitors,

Finance and taxation;

By Mr. Nolen—

s. 154. To provide for refilling the jury box of the county of Coosa and to legalize the same, and provide for drawing the juries for said county from such legalized box,

Judiciary;

By Mr. McElderry—

s. 155. To repeal section 499 of the code of 1876, and an act amendatory of said act approved December 8, 1888, together with all other amendments of said section 499,

Finance and taxation;

Also,

s. 156. To establish a charter for the town of Ashland, Clay county, Alabama,

Municipal and county organization;

By Mr. Cunningham—

s. 157. To incorporate the board of trustees of the Birmingham district of the North Alabama Conference of the Methodist Episcopal Church, South, and to define its object, purpose, powers and authority,

Corporations;

Also,

s. 158. To amend sections 3 and 9 of an act to enlarge and amend a charter under an act approved January 26, 1891, establishing a charter for the town of Woodlawn, in Jefferson county, Alabama,

Corporations;

By Mr. Kilpatrick—

s. 159. To legalize the acts of the jury commission of Wilcox county, Alabama, in filling the jury box of said county and the drawing of the grand and petit juries therefrom in November, 1896, for the year 1897,

Judiciary;

By Mr. Buchanan—

s. 160. To provide that the tax assessor and the tax collector of Crenshaw county shall keep their offices at the court house of said county,

Finance and taxation;

By Mr. Brown (by request)—

s. 161. To regulate the examination and admission of applicants to practice law in this State,

Judiciary;

Also,

s. 162. To regulate the issuance of second and third grade certificates to teachers,

Education;

Also (by request)—

s. 163. To fix and prescribe an educational qualification for county superintendents of education,

Education;

Also,

s. 164. To amend section eleven of an act entitled "an act to create and establish an industrial school in the State of Alabama for white girls," approved 1895,

Education;

By Mr. Brewer—

s. 165. To confer additional powers and rights upon the Montgomery, Hayneville and Camden Railroad Company, formerly the Montgomery, Hayneville and Camden Railroad,

Finance and taxation;

By Mr. Abercrombie (by request)—

s. 166. To amend section 2707 of the code of 1886,

Judiciary;

By Mr. Buchanan (by request)—

s. 167. To provide for the filing and recording of notes for the rent of real estate,

Judiciary;

Also (by request)—

s. 168. To provide for the payment of certificates issued to witnesses by the foreman of the grand jury of Crenshaw county, which the circuit clerk of said county has marked filed instead of taking them up and issuing certificates in lieu thereof,

Judiciary.

MESSAGE FROM THE HOUSE.

Mr. President:

The house has originated and passed the following bills:

H. 72. To require licenses for operating flying jennys or other devices of similar kind for profit;

H. 73. To amend an act entitled "act to amend an act to provide a fund for the payment of witnesses for the State and other officers in State cases in Jackson county, and to prescribe their compensation, approved March 1, 1881," approved February 21st, 1893 and to repeal an act entitled "an act to regulate the fine and forfeiture fund of certain counties," approved February 13th, 1879, so far as the same relates to Jackson county;

H. 126. To establish a uniform series of standard school books, to be used in the public schools of Jackson county;

H. 184. To regulate the trials of misdemeanors in Shelby county, Alabama;

H. 217. To regulate the fees of the clerk of county court of Bibb county;

H. 222. To make the clerk of the circuit court of Butler county, ex-officio hard labor agent for said county;

H. 235. To amend an act entitled an act, to regulate the issue of garnishments returnable before justices of the peace and the proceedings thereon, approved February 18, 1891;

H. 256. To amend section 4243 of the Code of Alabama, providing for trials on appeals from judgments of justices of the peace;

H. 128. To fix the compensation of not more than two regular bailiffs of the criminal court of Jefferson county and to provide for its payment;

H. 372. To amend an act entitled "an act to amend the charter of the city of Uniontown, county of Perry, State of Alabama," approved February 16, 1891;

And has ordered the last named bill sent to the senate without engrossment.

MASSEY WILSON,
Clerk.

HOUSE MESSAGES.

The house bills in the foregoing message were severally read once and referred to appropriate committees, as follows:

H. 128, 256, 235, 222, 217, 184, 73, to judiciary;

H. 72, to finance and taxation;
H. 126, to education;
H. 372 to local legislation.

MESSAGE FROM THE HOUSE.

Mr. President:

The speaker having signed the following bills, your signature is requested to the same:

H. 182. To make all fines assessed upon conviction for misdemeanors in Morgan county, Alabama, payable in money;

H. 61. To regulate the time of holding regular terms of the commissioners' courts in Cullman county, Alabama;

H. 102. To amend an act entitled an act to incorporate the city of Tuscaloosa, approved March 12th, 1873, by the addition of section 103 authorizing the mayor and aldermen of the city of Tuscaloosa to require certain male inhabitants thereof to work the streets of said city, to adopt ordinances to carry out the powers so granted, and to punish all persons failing to perform such work.

MASSEY WILSON,
Clerk.

SIGNING OF HOUSE BILLS.

The president of the senate, in the presence of the senate, immediately after their titles had been publicly read by the secretary, signed the foregoing house bills, the titles of which are set out in the foregoing house message.

REPORT OF COMMITTEE ON ENROLLED BILLS.

Mr. Matthews, from the committee on enrolled bills, reported the following bills correctly enrolled:

S. 26. To relieve Laura C. Hill, of Montgomery county, of the disabilities of non-age;

S. 73. To incorporate the Montezuma University of Bessemer, Alabama.

W. H. MATTHEWS,
Chairman.

SIGNING OF SENATE BILLS.

The president of the senate, in the presence of the senate, immediately after their titles had been publicly read by the secretary, signed the foregoing senate bills.

REPORTS OF COMMITTEES.

Bills were reported from committees and read a second time as follows:

By Mr. Abercrombie, from educational, favorably—

s. 117. To amend section one of an act entitled an act to incorporate Union Springs Female College, approved February the 22d, 1887;

Also,

s. 130. To create a separate school district to be known as the Blountsville School District in Blount county;

By Mr. Kilpatrick, from municipal and county organization, favorably—

s. 114. To amend and revise an act, entitled an act, to incorporate the town of Eunola, in Geneva county, Alabama;

Also,

s. 121. To incorporate the town of Rockmill, in the county of Randolph;

Also, with amendment,

H. 12. To incorporate the town of Hamilton, in the county of Marion and State of Alabama;

Also, favorably, with amendment,

H. 71. To establish and maintain ferries in Jackson county;

Also, favorably,

H. 130. To authorize the board of mayor and councilmen of the city of Phoenix City "to issue and negotiate bonds of said city to an amount not exceeding ten thousand dollars for the purpose of purchasing and laying sewer pipe, improving the streets of said city and paying the indebtedness of said city;

Also, with amendment,

H. 201. To establish a new charter for the city of Huntsville;

By Mr. Walker, from corporation, favorably—

H. 90. To confirm the incorporation of the Fidelia Club, of Mobile, Alabama, and to amend its charter;

Also,

H. 91. To confirm the incorporation of the Athelstan Club of Mobile, Alabama, and to amend its charter;

Also,

S. 124. To more effectually secure competent and well qualified jurors for the county of Marengo;

Also,

S. 125. To amend section 2 of an act to prevent stock from running at large in certain portions of Marengo county;

Also,

S. 126. To fix the time for holding the circuit court in the first judicial circuit of Alabama, to prescribe the time for pleading and to regulate the setting of causes for trial therein;

By Mr. Pettus, from judiciary, favorably,

H. 38. To change the time of the holding of the chancery courts in the northwestern chancery division as to the counties of Blount, Walker and Winston, Fayette and Tuskaloosa;

By Mr. Pettus, from commerce and common carriers, favorably,

S. 150, To authorize the Southern Railway Company to discontinue the use of that part of its railroad west of the town of York, in Alabama, in the direction of Lauderdale station, in Mississippi;

Also,

S. 151. To change the corporate name of the Montgomery, Hayneville & Camden Railroad to that of the Montgomery, Hayneville & Camden Railroad Company;

By Mr. Moody, from temperance, favorably, with substitute,

S. 148. To authorize and require an election to be held in this State concerning the regulation of the sale, giving away, or delivery of spirituous, vinous, and malt liquors in this State, and to delare the effect of such election.

On motion of Mr. Kilpatrick 300 copies senate bill 148 were ordered printed.

By Mr. Kilpatrick, from municipal and county organizations, returned without recommendation,

The bill,

s. 128. To incorporate the town of West Blocton, Alabama,

And requested its reference to the committee on temperance.

It was so referred.

REPORT OF THE COMMITTEE ON ENGROSSED BILLS.

Mr. Sowell, from the committee on engrossed bills reported the following bills correctly engrossed:

s. 112, and 91.

REPORTS OF SELECT COMMITTEE.

Mr. Sowell, from a select joint committee, submitted the following report:

Mr. President:

The joint committee to which was referred the matter of making arrangements for the inauguration of Governor-elect Johnston submit the following report:

They recommend that the inauguration take place on Tuesday the first day of December, 1896, at 1:30 p. m., and they have adopted the following programme:

That the procession form on Commerce street with its head opposite the Exchange Hotel at 1:30 p. m.,, Tuesday, December 1st, 1896. The line of march will be up Dexter Avenue to the capitol in the following order:

Mounted police, military, cadets from Auburn and Tuscaloosa. First carriage, Governor Oates and Governor-elect Johnston; second carriage, Mesdames Oates and Johnston; third carriage, President of the Senate, Speaker of the House, Secretary of Senate, Clerk of the House; fourth carriage, Chief Justice of the Supreme Court, Chairman of the Joint Committee, Chaplain, Secretary of State; fifth carriage, the Associate Justices of the Supreme Court; sixth carriage, Attorney-General, Treasurer, Auditor, Superintendent of Education;

seventh carriage, Railroad Commissioners, Commissioner of Agriculture; eighth carriage, the Joint Committee; ninth carriage, managers of the Governor's ball; Mayor and Council of Montgomery; citizens in vehicles and on foot; the sheriff and his deputies on horseback.

Colonel A. A. Wiley has been appointed grand marshal, with the following assistants: Hon. Dan'l A. Greene of Birmingham, Hon. Tennant Lomax, Dr. G. A. Williams of Athens, Capt. W. W. Brandon of Tuscaloosa, Colonel Winston Joues of Mobile, Maj. C. W. Hooper of Selma and Hon. B. P. Hunt of Huntsville.

The inaugural address will be delivered from the steps of the capitol in the presence of the general assembly and the oath of office will be administered by the Chief Justice of the Supreme Court.

Reception in the Governor's rooms at the capitol.

At night the Governor's ball will be had, under the supervision of the special committee composed of Edward H. Lewis, J. Kirk Jackson, Ross C. Smith, Robert L. Walker and Edward M. Robinson.

JOHN J. ALTMAN,
JOHN F. BURNS,
FRANCIS B. LLOYD,
On part of the house.
JOHN W. ABERCROMBIE,
B. M. SOWELL,
On part of the senate.
Joint committee.

The report was received and concurred in and the committee discharged.

Mr. Abercrombie from a select joint committee, submitted the following report:

Mr. President:

The joint committee heretofore appointed respectfully report that they have delivered to Hon. J. L. M. Curry the invitation of the senate and house to address the general assembly of Alabama on Wednesday, the second day of December, 1896, and that he has accepted such invitation.

The committee recommend the adoption of a joint resolution which will be offered in the senate to-day, ap-

pointing 12 o'clock M. on Wednesday, December 2nd, 1896, and the hall of the house as the time and place for the delivery of said address.

JOHN W. ABERCROMBIE,
Committee on the part of senate.
CECIL BROWNE,
M. L. STANSEL,
Committee on part of the house.

The report was received and ordered to lie on the table.

RESOLUTIONS.

Mr. Abercrombie offered the following joint resolution, which was referred to the committe on rules:

Be it resolved by the senate, the house concurring, That the general assembly meet in the hall of the house, at 12 o'clock M. on Wednesday, December 2nd, 1896, for the purpose of hearing an address by Hon. J. L. M. Curry on the subject of public education.

Mr. Hundley offered the following resolution:

Resolved, That the committee on rules be requested to report upon the joint resolution and the amendments, in reference to raising a committee to frame a bill to provide for calling a constitutional convention; not later than Thursday next in order that, if said bill is presented, it may be presented before the recess, if possible.

On motion of Mr. Pettus, the resolution was laid on the table.

MESSAGE FROM THE GOVERNOR.

STATE OF ALABAMA, EXECUTIVE DEPARTMENT,
OFFICE OF THE GOVERNOR,
MONTGOMERY, November 30th, 1896.

Mr. President:

I am directed by the Governor to communicate to the senate a message in writing.

Very respectfully,
W. J. VAIDEN,
Private Secretary.

EXECUTIVE DEPARTMENT,
OFFICE OF THE GOVERNOR.
Montgomery, Ala. Nov. 30th, 1896.

To the General Assembly of Alabama:

The joint committee of the two houses which recently submitted a report upon the condition of the treasury and the finances of the State seems to have confounded the fiscal year with the calendar year and treated them as one and the same. I do not question the integrity of the members of said committee, but I am of opinion that their report is misleading, well calculated to injure the credit of the State and unjust to my administration, and therefore I deem it my duty to call your attention to it and to state the true condition of the finances of the State.

The report of said committee in respect to the cash assets available December 31st, is substantially correct.

The report of the liabilities maturing at the same time, or the day thereafter, January 1st, is substantially correct with two exceptions.

Said report sets forth the $50,000, to the First National Bank of Mobile, on account of warrents it has taken up, as payable January 1st, 1897, when in fact said sum is not payable until the 10th day of February next.

Said report also sets forth the $100,000 to the Selma Bank as payable January 1st, when it is not due until the 18th day of that month.

These differences in dates are important because within a half month and one and a third months from January 1st, it is certain that the treasury will be in a very different condition, (with the receipts pouring in at the rate of $25,408 per day) from what it is on said 1st day of January.

Deduct $150,000 erroneously reported as payable January 1st., from the $568,000 deficiency found by said committee and it leaves an aggregate sum due and payaple on the 1st day of January of $418,000.

For the payment of this sum it is fair to presume that the State will have as large an income in January next as was received in January last; most likely it will be

larger, because the receipts during the present month are smaller than they were one year ago, while the assessments are substantially the same, and if the same be true of the receipts in December, the probability is that they will be correspondingly larger in the early days of January.

Last January the report of the treasurer shows that within the first nine days of that month there were received $478,150, which would pay the alleged deficiency, corrected as above stated, and $60,000 over.

Continuing the comparison of receipts which may be reasonably expected up to January 15th, the day when the $100,000 note will be due, and there will be on that date in the treasury $138,351, which will pay said note, the interest thereon, and leave over $35,000 in the treasury.

Then should the receipts continue day by day equal to those of last January, there will be on the last day of the month in the treasury, after making the aforesaid payments, $140,000.

The following is a table taken from the report of the treasurer showing that last January the treasury received $660,625.79, a daily average of over $25,400.

EXHIBIT A.

Statement of the daily condition of the State Treasury—Continued.

JANUARY—1896.

DATES.	RECEIPTS.	DISBURSEMENTS.	BALANCE.
2	$ 14,033 86	$ 15,350 72	$ 44,868 70
3	55,037 81	34,139 59	65,766 92
4	49,689 77	2,497 59	112,959 10
6	78,414 17	38,540 85	152,832 42
7	58,278 01	2,348 18	208,762 25
8	68,561 97	18,399 07	258,925 15
9	154,133 14	10,431 61	402,626 68
10	8,689 69	15,167 66	396,148 71
11	36,015 06	1,153 77	431,000 00
13	24,398 66	3.701 69	451,706 97
14	3,308 28	486 05	454,529 20
15	5,941 30	2,921 79	457,548 71
16	23,383 18	1,202 25	479,729 64
17	3,870 41	1,502 15	482,097 90
18	9,635 74	558 84	491,174 80
20	31,191 29	495 51	521,870 58
21	1,912 78	154,387 60	369,395 76
22	1,598 36	655 21	370,338 91
23	1,979 73	3.541 46	368,777 18
24	9,256 88	3,642 81	374,391 25
25	3,117 55	1,555 22	375,953 58
27	7,768 26	812 97	382,908 87
28	5,108 29	157,492 81	230 524 35
29	1,895 06	665 18	231,754 23
30	3,261 54	671 73	234,344 04
31	145 00	9,933 55	224,555 49
Total	$ 660,625 79	$ 482,255 86	
Daily Average	$ 25,408 68	$ 18,548 30	

The receipts last February aggregated $269,070.

Last year the claims maturing January 1st were as great as they will be next January with the exception of about $34,000. Increase in the amount of the semi-annual, payment of the interest on the bonded debt and about $10,000 to the industrial school for white girls. But last year the temporary loan as shown by the report of said joint committee aggregated $510,000 and $7,850.75 interest and expenses thereon, all of

which were paid by the 1st day of February, and the other liabilities to the full satisfaction of the holders thereof.

In 1895, January 1st, the liabilities were larger than they were last, or will be this January, and yet they were paid with such slight delay that but little complaint was heard.

I know from two years actual experience and observation that the university, the A. & M. College, the Bryce Insane Hospital, the institute for the deaf and blind and the agricultural schools whenever informed that the money in the treasury is running low, very readily accept one-half the amount of the warrants due them respectively and wait a month, or six weeks for the remainder.

I am clearly of opinion that no difficulty will be experienced in the payment of the claims against the State during the months of January and February, and that there is no necessity for effecting any other temporary loan except for a few weeks in the hands of the fiscal agents of the State in New York to pay the interest upon the coupon bonds, which I take pleasure in assuring you has been arranged.

The fiscal year terminates with the month of September, 1897, having begun the 1st of October. I have not found any reason for changing the opinion expressed in my biennial message that the deficiency in the State's revenues at that date will not not exceed $150,000 unless the expenditures be increased by the present general assembly. Of course this is but an estimate founded upon my own calculations and those of the auditor in whose report to me the estimated deficiency is $146,100. The amount may vary from this a few thousand dollars, but I think it will prove to be approximately correct.

WM. C. OATES,
Governor.

On motion of Mr. Pettus, the message was referred to the committee on finance.

BILLS ON THIRD READING.

The bill,

s. 113. To regulate the holding of the circuit court

of Marengo county, and to provide for the practice and proceedings therein,

Was read a third time and passed—Yeas, 22; nays, 0.

Yeas:

Messrs. President, Abercrombie, Bethune, Brooks, Buchanan, Case, Cunningham, Deens of Covington, Grant, Hall, Hogue, Hollis, Hundley, Kilpatrick, Lee, Matthews, McElderry, Nolen, Pettus, Robinson, Sowell, Walker—22.

And the bill was ordered to be sent to the house without engrossment.

The bill,

s. 115. To repeal an act entitled an act to regulate the fees of the judge of the county court of Franklin county, Alabama,

Was read a third time and passed—yeas, 20, nays, 0.

Yeas:

Messrs. President, Abercrombie, Bethune, Brown, Buchanan, Cunningham, Deens of Covington, Grant, Hall, Hogue, Hollis, Hundley, Kilpatrick, Lee, Matthews, McElderry, Pettus, Robinson, Sowell, Walker—20.

The bill,

s. 29. To provide for the better support of the public schools of Escambia county, Alabama,

Was taken up.

On motion of Mr. Lee, the pending amendment to the substitute was laid on the table.

The substitute reported by the committee was adopted.

The bill as amended, was read a third time and passed—yeas 23, nays, 0.

Yeas:

Messrs. President, Abercrombie, Bethune, Brooks, Brown, Buchanan, Cunningham, Grant, Hall Hawkins, Hogue, Hollis, Hundley, Kilpatrick, Lee, Matthews McElderry, Moody Nolen, Pettus, Robinson, Smith, Sowell —23.

The bill,

H. 11. To provide for the registration and lien of judgment for the payment of money in the courts of justice of the peace in Lamar, Calhoun, Monroe, Barbour, Walker, Baldwin, Etowah, Macon, DeKalb, Fay-

ette, Bibb, Sumter, Tallapoosa, Chilton and Madison counties,

Was taken up.

Mr. Abercrombie moved to strike out Calhoun county from the caption and body of the bill.

Mr. Hundley moved to so strike out Madison county.

Mr. Hollis moved to so strike out Fayette and Walker counties.

Mr. Hogue moved to so strike out Perry county, and

Mr. Case moved to so strike out DeKalb county.

Which amendment were severall adopted.

Mr. Pettus moved to amend by striking out section 3 of the bill and renumbering the remaining sections,

Which was also adopted.

The bill as amended, was read a third time and passed —yeas, 21, nays, 9.

Yeas:

Messrs. President, Abercrombie Bethune, Brewer, Brooks, Brown, Cunningham, Day, Grant, Hawkins, Hogue, Kilpatrick,Matthews,McElderry, Moody,Pettus, Smith, Sowell, Thomason, Walker—21.

Nays:

Messrs. Buchanan, Case, Deens of Covington, Hall, Hollis, Hundley, Lee, Nolen, Robinson—9.

The bill,

H. 79. To authorize and require the commissioners' court of Lamar county to set apart and appropriate money from the general fund of said county, with which to pay and discharge certificates of State witnesses issued by the foreman of the grand jury and by the clerk of the circuit court of said county, fees which by law became a good claim against the fine and forfeiture fund of said county, after the approval of this act, and to regulate the manner of said payments and fixing the amount of said witness fees,

Was read a third time and passed—yeas 26, nays 0.

Yeas:

Messrs. President, Abercrombie, Bethune, Brewer, Brooks, Brown, Buchanan, Case, Cunningham, Deens of Covington, Grant, Hall Hawkins, Hogue, Hollis, Kilpatrick, Lee, Matthews, McElderry, Moody, Nolen, Pet-

tus, Robinson, Smith, Sowell, Thomason—26.

SPECIAL ORDERS AT 12 M.

The senate proceeded to consider the special orders for this hour.

The bill,

H. 136. For the protection of the creditors of any insolvent and failing corporation against preferences made or suffered by the directors, officers or managers of such corporation in the payment or security of debts,

Was taken up and considered.

On motion of Mr. Pettus, the further consideration of of the bill was postponed until Wednesday next (December 2nd) and made the continuing special order for 12 o'clock M. until disposed of;

And 100 copies were ordered to be printed for the use of the senate.

The next special order,

The bill,

s. 3. To regulate the trial of misdemeanors in the county of Marshall,

Was taken up and considered.

On motion of Mr. Brown the further consideration of the bill was postponed until Wednesday. December 2nd, 1896, and made the special order at 12 o'clock M. on that day.

The next special order,

The bill,

s. 8. To establish a uniform series of text books for the public schools of the State, and to prescribe the mode of selecting the same,

Was taken up and considered.

On motion of Mr. Abercrombie, the further consideration of the bill was postponed, and made the special order at 12 o'clock M. on Monday, December 7th, 1896.

MESSAGE FROM THE HOUSE.

Mr. President:

The house has concurred in the report of the confer-

ence committee, on the disagreement of the two houses, the senate amendment to the house joint resolution, raising a joint committee to sit during the recess, and to consider the report of the code commissioner;

And has adopted the report of the joint committee heretofore appointed to provide for the inauguration of Governor-elect Johnston;

And has adopted the report of the joint committee on adjournment for the recess;

And accedes to the request of the senate for a further conference on the house bill,

H. 213. To levy a license tax, State and county, on all peddlers of medicines, drugs or articles of like character in the counties of Macon, Jefferson, Calhoun, Autauga, Bullock, Tallapoosa, Marengo, Monroe, Lee, Talladega, Clarke, Montgomery, Coffee, Barbour, Morgan, DeKalb, Wilcox, Elmore, Dallas, Sumter, Tuscaloosa, Russell, Chambers and Greene,

Committee on the part of the house: Messrs. Kyle, Brandon and Long.

MASSEY WILSON,
Clerk.

REPORT FROM A COMMITTEE OF CONFERENCE.

Mr. Hogue, from a conference committee, submitted the following report:

Mr. President:

Your committee of conference on the disagreement of the two houses in respect to the resolution to appoint a joint committee of the two houses to examine the report of the commissioner to revise the code, have had the same under consideration, and ask leave to report as follows, viz:

1. That the committee recommend the adoption of the substitute passed by the senate, with the following amendments, viz: By inserting the words "and mileage" after the words "per diem," and by striking the words "one clerk," when they occur, and inserting the words "two clerks" in lieu thereof, and by adding to the

substiitute the following, viz: "Said committee shall in their report to the general assembly epecify all of the changes made by them."

W. F. Hogue,
Jno. Y. Kilpatrick,
W. Brewer,
Managers on the part of the senate.
Cecil Browne,
E. M. Robinson,
W. C. Davis,
Managers on the part of the house.

Mr. Hundly moved to non-cohcur in the report;

Which motion, on motion of Mr. Hogue, was laid on the table.

The report was concurred in.

REPORT FROM THE COMMITTEE ON RULES.

Mr. Pettus, from the committee on rules reported favorably a substitute for Mr. Abercrombie's joint resolution, as follows:

Resolved by the senate, the house concurring, That the two houses of the general assembly recess at 12:30 o'clock on Wednesday, December 2nd, 1896, for the purposeof hearing an address by Hon. J. L. M. Curry, and reconvene at the call of their respective presiding officers.

The report was concurred in and the resolution was adopted.

The senate resumed consideration of

BILLS ON THIRD READING.

The bill,

H. 17. To amend section 1 and 2 of an act to change the mode of compensating the solicitor for the county of Mobile, approved December the 9th, 1886,

Was read a third time and passed—yeas, 29, nays, 0.

Yeas:

Messrs. President, Abercrombie, Bethune, Brooks, Brown, Buchanan, Case, Cunningham, Day, Deans of

Shelby, Deens of Covington, Grant, Hall Hawkins, Hogue, Hollis, Hundley, Kilpatrick, Lee, Matthews, McElderry, Moody, Nolen, Pettus, Robinson, Smith, Sowell, Thomason, Walker—29.

The bill,

H. 141. To prohibit the law partner or partners of circuit, city or county solicitors of this State from defending cases in any court in this State where said solicitor prosecutes,

Was read a third time and passed—yeas 24, nays 0.

Yeas:

Messrs. President, Abercrombie, Bethune, Brooks, Brown, Buchanan, Case, Deens of Covington, Grant, Hall, Hawkins, Hogue, Hollis, Hundley, Kilpatrick, McElderry, Moody, Nolen, Pettus, Robinson, Smith, Sowell, Thomason, Walker—24.

The bill,

H. 187. To amend an act entitled an act to incorporate the city of Tuskaloosa, approved March the 12th, 1873, by the addition of section 104, authorizing the mayor and aldermen of the city of Tuskaloosa to require railroad companies operating railroads over the public streets of said city, to keep electric lights, or lights of equal power, at all points where such railroads cross the public streets of said city of Tuskaloosa,

Was read a third time and passed—yeas 23, nays 0.

Yeas:

Messrs. President, Abercrombie, Bethune, Brooks, Brown, Buchanan, Case, Cunningham, Day, Deens of Covington, Grant, Hawkins, Hollis, Hundley, Kilpatrick, Matthews, Moody, Nolen, Pettus, Robinson, Smith, Sowell, Thomason—23.

The bill,

H. 152. To amend section 2571 of the code of 1886,

Was read a third time and passed—yeas 26, nays 0.

Yeas:

Messrs. President, Abercrombie, Bethune, Brown, Buchanan, Case, Cunningham, Day, Deans of Shelby, Deens of Covington, Grant, Hall, Hawkins, Hollis, Hundley, Kilpatrick, Lee, Matthews, McElderry, Moody, Nolen, Pettus, Robinson, Smith, Sowell, Thomason—26.

The bill,

H. 169. To amend section 3874 (4419, 4120) of the code of Alabama, 1886,

Was read a third time and passed—yeas 24, nays 3.

Yeas.

Messrs. President, Abercrombie, Bethune, Brooks, Brown, Case, Cunningham, Day, Deens of Covington, Grant, Hall, Hawkins, Hogue, Hollis, Hundley, Kilpatrick, Lee, Matthews, McElderry, Moody, Pettus, Smith, Sowell, Thomason—24.

Nays:

Messrs. Deans of Shelby, Nolen and Robinson—3.

The bill,

H. 159. To donate twenty-five (25) copies of the Code of Alabama of the year 1886 to the law library of the State University,

Was read a third time and passed—yeas 26, nays 0.

Yeas:

Messrs. President, Abercrombie, Bethune, Brooks, Brown, Buchanan, Case, Cunningham, Day, Deens of Covington, Grant, Hall, Hogue, Hollis, Hundley, Kilpatrick, Lee, Matthews, McElderry, Moody, Nolen, Pettus, Robinson, Smith, Sowell, Thomason—26.

The bill,

H. 29. To authorize the corporate authorities of the city of Decatur to assess, levy and collect a special tax for fire protection;

Was read a third time and passed—yeas, 24, nays, 0.

Yeas:

Messrs. President, Abercrombie, Bethune, Brooks, Brown, Case, Cunningham, Day, Deans of Shelby, Deens of Covington, Grant, Hogue, Hollis, Hundley, Kilpatrick, Lee, Matthews, McElderry, Pettus, Robinson, Smith, Sowell, Thomason, Walker—24.

The bill,

s. 98. For the relief of L. W. McRae, of Washington county;

Was read a third time and passed—yeas 29, nays 0.

Yeas:

Messrs. President, Abercrombie, Bethune, Brewer, Brooks, Brown, Buchanan, Case, Cunningham, Day,

Deans of Shelby, Deens of Covington, Grant, Hall, Hawkins, Hogue, Hollis, Hundley, Kilpatrick, Lee, Matthews, Moody, Nolen, Pettus, Robinson, Smith, Sowell, Thomason, Walker—29.

The bill,

S. 118. To amend section one of an act approved February 22d, 1887, entitled an act to amend section one of an act entitled an act or the protection and preservation of game animals and birds in Perry county, approved February 7th, 1885;

Was read a third time and passed—yeas 25, nays 0.

Yeas:

Messrs. President, Abercrombie, Bethune, Brooks, Brown, Buchanan, Case, Cunningham, Day, Deens of Covington, Grant, Hall, Hawkins, Hogue, Hollis, Hundley, Kilpatrick, Lee, Nolen, Pettus, Robinson, Smith, Sowell, Thomason, Walker—25.

The bill,

H. 191. For the better preservation of game in Calhoun county, Alabama,

Was taken up.

Mr. Abercrombie, offered an amendment as a substitute for section one of the bill,

Which was adopted.

The bill as amended, was read a third time and passed—yeas 21, nays 0.

Yeas:

Messrs. President, Abercrombie, Bethune, Brewer, Brown, Case, Cunningham, Day, Grant, Hall, Hawkins, Hollis, Hundley, Kilpatrick, Lee, Matthews, Robinson, Smith, Sowell, Thomason, Walker—21.

The bill,

H. 216. To amend section seven of an act entitled an act to prevent stock from running at large in certain portions of Hale and Tuskaloosa counties, approved February 21, 1887;

Was read a third time and passed—yeas, 23, nays 0.

Yeas:

Messrs. President, Abercrombie, Bethune, Brewer, Brown, Buchanan, Case, Cunningham, Day, Grant, Hall, Hawkins, Hollis, Hundley, Kilpatrick, Mat-

thews, Nolen, Pettus, Robinson, Smith, Sowell, Thomason, Walker—23.

The bill,

s. 131. To authorize the secretary of State to dispose of certain books belonging to the State;

Was read a third time and passed—yeas 28, nays 0.

Yeas:

Messrs. President, Abercrombie, Bethune, Brewer, Brown, Buchanan, Cunningham, Day, Deans of Shelby, Deens of Covington, Grant, Hall, Hawkins, Hogue, Hollis, Hundley, Kilpatrick, Lee, Matthews, McElderry, Moody, Nolen, Pettus, Robinson, Smith, Sowell, Thomason, Walker—28.

The bill,

H. 109. To regulate the manner of making contracts by the commissioners court of Cullman county, Alabama, for erecting or repairing public buildings or bridges in the county;

Was taken up.

Mr. Brown offered two amendments, which were akopted,

And the bill as amended, was read a third time and passed—yeas, 23, nays, 0.

Yeas:

Messrs. President, Abercrombie, Bethune, Brewer, Brooks, Brown, Buchanan, Case, Cunningham, Deans of Shelby, Deens of Covington, Grant, Hawkins, Hogue, Hollis, Hundley, Kilpatrick, Matthews, Nolen, Pettus, Robinson, Thomason, Walker—23.

ADJOURNMENT.

At 1:30 o'clock, on motion of Mr. Hogue, the senate adjourned until to-morrow morning at 10:30 o'clock.

EIGHTEENTH DAY.

SENATE CHAMBER,

TUESDAY, December 1st, 1896.

Prayer by Rev. Mr. Davis of the city.

Present,

Messrs. President, Abercrombie, Bethune, Boykin, Brooks, Brewer, Buchanan, Case, Deans of Shelby, Deens of Covington, Grant, Hall, Hawkins, Hollis, Hundley, Kilpatrick, Lee, Matthews, McElderry, Moody, Nolen, Pettus, Robinson, Smith, Sowell, Thomason Walker—27.

On motion of Mr. Robinson, the reading of the journal was dispensed with.

LEAVES OF ABSENCE.

Leaves of absence were granted to Messrs. Sowell, Abercrombie and Thomason for to-day.

INTRODUCTION OF BILLS.

On the call of the districts bills were introduced, read the first time and referred to appropriate committees, as follows:

By Mr. McElderry—

s. 169. To amend section four thousand and fifty-seven (4057) of the present code of Alabama,

Judiciary;

By Mr. Deans of Shelby—

s. 170. To require all monies due any part of township twenty-two (22) of range (2) west and township twenty-four of range thirteen (13) east of Shelby county to be paid over to the superintendent of education of Shelby county,

Education;

By Mr. Pettus—

s. 171. To further regulate the financial affairs of Dallas county,

Judiciary;

Also, (by request)—

s. 172. To refund to the trustees of the Alabama Baptist Colored University the sum of $315.70 heretofore collected from said university as taxes on its property which was exempt as belonging to a school and used for school purposes,

Education;

Also, (by request)

S. 173. To require the history of Alabama to be taught in all schools, supported, in whole or in part, by public money, or under State control, and to provide a text book therefor,

Education.

MESSAGE FROM THE HOUSE.

Mr. President:

The house has originated and passed the following bills:

H. 122. To establish a board of education to select a uniform series of text books for the counties of Etowah and Cherokee, and to regulate the duties of said board;

H. 246. To establish a new charter for the city of Talladega;

H. 255. To amend section 3687 of the code of Alabama;

H. 266. To prohibit the sale, giving away, bartering or otherwise disposing of spirituous, vinous or malt liquors or other intoxicating drinks within an area of six miles of the Ozark City Graded School building in the city of Ozark, Dale county, Alabama;

H. 270. To fix the time of holding the circuit court in the counties of Geneva and Henry in the twelfth judicial circuit;

H. 240. To change the name of State "Normal and Industrial School" to "The Agricultural and Mechanical College for Negroes" at Normal Madison county, Alabama, and authorize the same to confer degrees;

H. 239. To amend an act entitled an act to define and prescribe a lawful fence in certain portions of the county of Madison, approved February 28th, 1889, as amended by section one of an act approved February 21st, 1893, and as amended by section one of an act approved January 29th, 1895;

H. 8. To repeal an act entitled an act to levy and collect a tax on dogs in Fayette county, approved Feb. 21, 1893;

H. 19. To amend section one of an act entitled "an act to protect the fish in Deer river, East Fowl river, West Fowl river, Little river and the tributaries of those streams in Mobile county," approved Feby. 18, 1894;

H. 351. To prohibit the manufacture, sale, giving away or otherwise disposing of any distilled, vinous, malt or alcoholic liduors of any kind within five miles of the Elba high school in the town of Elba, Coffee county, Ala.;

H. 116. To provide for refilling the jury boxes of the counties of Chambers, Coosa and Macon, and to legalize the same and provide for drawing the juries for said counties from such legalized boxes;

And the house has concurred in the senate joint resolution relative to the invitation to Hon. J. L. M. Curry to address the two houses of the general assembly;

And the house has originated and passed, and ordered to the senate forthwith. without engrossment,

H. 304. To declare vacant the office of solicitor for Jefferson county, and to provide for filling the vacancy.

MASSEY WILSON,
Clerk.

HOUSE MESSAGES.

The house bills in the foregoing house message were read once and referred to the appropriate committees as follows:

H. 304, 270, 116, to judiciary;
H. 122, 240, to education;
H. 246, to municipal and county organizations;
H. 239, to local legislation;
H. 255, 8, to finance and taxation;
H. 266, 351, to temperance;
H. 19, to agriculture.

MESSAGE FROM THE GOVERNOR.

STATE OF ALABAMA, EXECUTIVE DEPARTMENT,
OFFICE OF THE GOVERNOR,
MONTGOMERY, November 30th, 1896.

Mr. President:

I am directed by the Governor to hand you a list of

pardons and commutations together with his reasons therefor from Nov. 28th to Nov. 30th, 1896.

Very respectfully,

W. J. VAIDEN,

Private Secretary.

On motion of Mr. Pettus, the message and accompanying documents was referred to the committee on penitentiary.

RECONSIDERATION OF BILLS.

Mr. Matthews moved to reconsider the vote by which the senate passed

The bill,

H. 11. To provide for the registration and lien of judgment for the payment of money in the courts of justice of the peace in Lamar, Calhoun, Monroe, Barbour, Walker, Baldwin, Etowah, Macon, DeKalb, Fayette, Bibb, Sumter, Tallapoosa, Chilton and Madison counties,

On yesterday.

Which was carried.

Mr. Matthews further moved to reconsider the vote by which the bill was ordered to the third reading.

Carried.

Mr. Matthews moved to reconside the vote by which the amendment striking out "Fayette and Walker counties" from the bill was adopted on yesterday.

Carried.

He then moved to lay on the table the amendment to strike Fayette and Walker counties from the bill.

Carried.

On motion of Mr. Lee the counties of Monroe and Baldwin were stricken out of the bill.

The bill, as amended, was read a third time and passed—yeas, 13, nays, 10.

Yeas:

Messrs. Bethune, Boykin, Brewer, Brown, Cunningham, Hawkins, Hogue, Kilpatrick, Lee, Matthews, Moody, Pettus, Smith—13.

Nays:

Messrs. President, Brooks, Buchanan, Case, Deans of Shelby, Hall, Hollis, Hundley, Nolen, Robinson—10.

REPORTS OF COMMITTEES.

Bills were reported from the committees and read a second time, as follows:

By Mr. Pettus, from jndiciary,favorably, with amendment,

s. 159. To legalize the acts of the jury commission of Wilcox county, Alabama, in filling the jury box of said county and the drawing of the grand and petit juries therefrom in November, 1896, for the year 1897;

Also favorably,

s. 146. To amend sections one and five of an act entitled "an act to provide record books and stationery for the office of the probate judge of Blount county, for use in the western division of said county, and to require such judge to keep the books, records and papers, so provided for, at the court house at Bangor, or within one mile thereof, and to keep a clerk, who shall have authority in the name of the probate judge to do and perform all ministerial acts which are, or may be by law, required to be performed by such probate judge in said western division, and to provide for the holding of probate courts at Bangor," approved February 14, 1893;

Also,

s. 147. To amend section five of an act entitled "an act to regulate the times of holding circuit courts in the western division of Blount county, and to provide records therefor, and to require the clerk of the circuit court of said county to keep a deputy clerk and office at Bangor, in said western division," approved December 13th, 1892;

Also,

H. 218. To provide for the compensation of jurors in the county court of Bibb county;

Also,

H. 220. To authorize the solicitor of the ninth judicial circuit to appoint a deputy solicitor for the Western Division of Blount county;

By Mr. Hogue, from local legislation, favorably,

H. 372. To amend an act entitled "an act to amend the charter of the city of Uniontown, county of Perry, State of Alabama," approved February 16, 1891;

Also,

H. 132. To amend an act entitled "an act to fix the right of the city of Mobile to certain real estate, approved February 18th, 1895;

By Mr. Brewer, from finance and taxation, favorably with amendments,

S. 135. To amend section 4 of an act entitled "an act to dispose of lands which have been or which may hereafter be sold for taxes and bid in for the State and which have not been redeemed or purchased from the State," approved February 9, 1895;

Also, with amendment,

H. 4. To make appropriations for the ordinary expenses for the executive, legislative and judicial departments of the State, for interest on the public debt, and for public schools;

By Mr. Walker, from corporation, favorably,

H. 171. To authorize and empower the mayor and council of the town of Athens to issue and sell bonds of said town to an amount not exceeding fifteen thousand dollars falling due not more than thirty years from their date, bearing not exceeding six per cent interest payable semi-annually for the purpose of establishing and operating a first class system of waterworks in and for said town and its inhabitants,

Mr. Hundley submitted a minority report on the bill,

H. 201. To establish a new charter for the city of Huntsville;

Mr. Pettus, from the judiciary committee, returned the bill,

H. 78. To confirm the incorporation of the "Jones Valley Club,"

And asked its reference to the committee on corporations;

It was so referred.

REPORT OF ENGROSSED BILLS.

Mr. Sowell, from the committee on engrossed bills, reported the following bills correctly engrossed:

s. 29, 98, 131, 118, 115.

BILLS ON THIRD READING.

The bill,

H. 9. To repeal an act entitled an act to provide for the protection and preservation of game, animals and birds in Fayette county,

Was read a third time and passed—yeas 24, nays 0.

Yeas :

Messrs. President, Bethune, Boykin, Brewer, Buchanan, Case, Cunningham, Deans of Shelby, Deens of Covington, Grant, Hall, Hawkins, Hogue, Hollis, Hundley, Kilpatrick, Lee, Matthews, McElderry, Moody, Nolen, Pettus, Robinson, Smith—24.

The bill,

s. 117. To amend section one of an act entitled an act to incorporate Union Springs Female College, approved February the 22d, 1887,

Was read a third time and passed—yeas 20, nays 0.

Yeas :

Messrs. President, Bethune, Boykin, Brewer, Brooks, Brown, Buchanan, Case, Cunningham, Deens of Covington, Grant, Hall, Hawkins, Hogue, Hollis, Hundley, Moody, Nolen, Robinson, Smith—20.

The bill,

s. 130. To create a separate school district to be known as the Blountsville School District, in Blount county,

Was read a third time and passed—yeas 19, nays 0.

Yeas :

Messrs. President, Abercrombie, Bethune, Boykin, Brewer, Brooks, Brown, Buchanan, Case, Cunningham, Hall, Hawkins, Hogue, Hollis, Hundley, Lee, Moody, Nolen, Robinson—19.

The bill,

s. 114. To amend and revise an act, entitled an act, to incorporate the town of Eunola, in Geneva county, Alabama,

Was read a third time and passed—yeas 22, nays 0.

Yeas :

Messrs. President, Abercrombie, Bethune, Boykin, Brewer, Brooks, Brown, Cunningham, Day, Deans of

Shelby, Deens of Covington, Grant, Hall, Hawkins, Hollis, Hundley, Lee, Matthews, McElderry, Moody, Nolen, Robinson—22.

The bill,

S. 121. To incorporate the town of Rockmills, in the county of Raldolph,

Was read a third time and passed—yeas 21, nays 0.

Yeas:

Messrs. President, Boykin, Brewer, Brooks, Brown, Buchanan, Day, Deans of Shelby, Deens of Covington, Grant, Hall, Hawkins, Hollis, Hundley, Kilpatrick, Lee, Matthews, McElderry, Moody, Nolen, Robinson—21.

The bill,

H. 12. To incorporate the town of Hamilton, in the county of Marion and State of Alabama,

Was taken up;

The pending amendment was adopted, and the bill, as amended,

Was read a third time and passed—yeas 17, nays 0.

Yeas:

Messrs. Bethune, Boykin, Brewer, Brooks, Brown, Case, Day, Deens of Covington, Grant, Hall, Hawkins, Hollis, Hundley, Kilpatrick, Lee, Matthews, Robinson—17.

The bill,

H. 71. To establish and maintain ferries in Jackson county,

Was taken up.

On motion of Mr. Kilpatrick, the further consideration of the bill was postponed and made the special order on Thursday, December 3rd, 1896, at 12 o'clock M.

The bill,

H. 130. To authorize the board of mayor and councilmen of the city of Phoenix City "to issue and negotiate bonds of said city to an amount not exceeding ten thusand dollars for the purpose of purchasing and laying sewer pipe, improving the streets of said city and paying the indebtedness of said city,

Was read a third time and passed—yeas 20, nays 0.

Yeas:

Messrs. Bethune, Boykin, Brewer, Brown, Case, Day,

Deans of Shelby, Deens of Covington, Grant, Hall, Hogue, Hollis, Hundley, Kilpatrick, Lee, Matthews, Nolen, Pettus, Robinson, Smith—20.

The bill,

H. 201. To establish a new charter for the city of Huntsville,

Was taken up.

On motion of Mr. Kilpatrick, the bill, amendments and minority report were postponed and made the special order for to-morrow at 12 o'clock M.

The bill,

H. 90. To confirm the incorporation of the Fidelia Club, of Mobile, Alabama, and to amend its charter,

Was read a third time and passed—yeas 18, nays 5.

Yeas:

Messrs. President, Brewer, Brooks, Case, Day, Deens of Covington, Grant, Hall, Hogue, Hollis, Hundley, Kilpatrick, Lee, Nolen, Pettus, Robinson, Smith, Thomason—18.

Nays:

Messrs. Boykin, Brown, Deans of Shelby, Matthews, McElderry—5.

The bill,

H. 91. To confirm the incorporation of the Athelstan Club of Mobile, Alabama, and to amend its charter,

Was read a third time and passed—yeas 13, nays 9.

Yeas:

Messrs. President, Brewer, Day, Deens of Covington, Grant, Hall, Hawkins, Hundley, Lee, Pettus, Robinson, Smith, Thomason—13.

Nays:

Messrs. Bethune, Boykin, Brooks, Brown, Case, Hogue, Hollis, McElderry, Moody—9.

The bill,

S. 124. To more effectually secure competent and well qualified jurors for the county of Marengo,

Was read a third time and passed—yeas 17, nays 0.

Yeas:

Messrs. Brewer, Brown, Case, Cunningham, Day, Deans of Shelby, Deens of Covington, Grant, Hawkins, Hogue, Hollis, Hundley, Kilpatrick, Lee, Matthews, Nolen, Thomason—17.

And was ordered to be sent to the house without engrossment.

The bill,

s. 150. To authorize the Southern Railway Company to discontinue the use of that part of its railroad west of the town of York, in Alabama, in the direction of Lauderdale station, in Mississippi,

Was read a third time and passed—yeas 22, nays 0.

Yeas:

Messrs. President, Brooks, Brown, Buchanan, Case, Cunningham, Day, Deens of Covington, Grant, Hall, Hawkins, Hogue, Hollis, Hundley, Kilpatrick, Matthews, Nolen, Pettus, Robinson, Smith, Thomason, Walker—22.

And was ordered to be sent to the house without engressment.

The bill,

s. 151. To change the corporate name of the Montgomery, Hayneville & Camden Railroad to that of the Montgomery, Hayneville & Camden Railroad Company,

Was read a third time and passed—yeas 23, nays 0.

Yeas:

Messrs. President, Bethune, Boykin, Brewer, Brooks, Brown, Buchanan. Case, Cunningham, Day, Grant, Hall, Hawkins, Hogue, Hollis, Hundley, Kilpatrick, Lee, Pettus, Robinson, Smith, Thomason, Walker—23.

The bill,

Temperance, favorably, with substitute,

s. 148. To authorize and require as election to be held in this State concerning the regulation of the sale, giving away, or delivery of spirituous, vinous, and malt liquors in this State, and to declare the effect of such election,

Was taken up.

On motion of Mr. Moody, the further consideration of the bill was postponed, and made the special order tomorrow immediately after the reports of committees.

The bill,

s. 125. To amend section 2 of an act to prevent stock from running at large in certain parts of Marengo county,

Was read a third time and passed—yeas 19, nays 0.

Yeas:

Messrs. Brewer, Brooks, Brown, Buchanan, Cunningham, Day, Deans of Shelby, Deens of Covington, Grant, Hawkins, Hogue, Hollis, Hundley, Kilpatrick, Lee, Matthews, Nolen, Smith, Walker—19.

The bill,

s. 126. To fix the time for holding the circuit court in the first judicial circuit of Alabama, to prescribe the time for pleading and to regulate the setting of causes for trial therein,

Was read a third time and passed—yeas 22, nays 0.

Yeas:

Messrs, Brewer, Brooks, Brown, Buchanan, Case, Cunningham, Day, Deans of Shelby, Deens of Covington, Grant, Hawkins, Hogue, Hollis, Hundley, Kilpatrick, Lee, Matthews, Nolen, Robinson, Smith, Thomason, Walker—22.

And was ordered to be sent to the house without engrossment.

The bill,

H. 38. To change the time of holding of the chancery courts in the northwestern chancery division as to the counties of Blount, Walker and Winston, Fayette and Tuscaloosa,

Was read a third time and passed—yeas 21, nays 0.

Yeas:

Messrs. President, Abercrombie, Brown, Buchanan, Case, Cunningham, Day, Deans of Shelby, Deens of Covington, Grant, Hall, Hawkins, Hogue, Hollis, Hundley, Kilpatrick, Matthews, Nolen, Robinson, Thomason, Walker—21.

RECESS.

At 12:50 p. m. the senate took an informal recess, and at 2 o'clock was called to order again by the president and proceeded to the front steps of the capitol, with the house of representatives, to witness the inauguration of Joseph F. Johnston, as Governor of Alabama. Pursuant to the program heretofore arranged the two houses of the general assembly convened on the steps fronting the capitol and was called to order by Governor Wm. C.

Oates.

Prayer by Bishop Jackson of the city.

Governor Oates introduced the Governor-elect in dignified and appropriate words:

The Governor-elect Joseph F. Johnson then delivered the following inaugaural address.

Fellow Citizens:

To be chosen to the highest office within the gift of the people of the State should gratify the ambition and inspire the patriotism of any citizen. In entering upon the duties of the office I am about to assume, I do so with profound gratitude to the people, and with a just comprehension of the difficulties that beset the path before me, difficulties that can only be overcome by help from Him who holds us all in the hollow of His hand.

I shall undertake this work with the single purpose to do what I can to bring to our people the blessings of peace and prosperity, and with the conviction in my heart that I can best serve my party by best serving the people.

The hot political contests of this eventful year, that aroused so much passion, are now behind us; the people have registered their will, and all good citizens should yield cheerful obedience to their mandate; if they have not erred in their verdict on the great question that broke party lines, returning prosperity will soon confirm their judgment; if they have erred no misrepresentation or coercion can deter them from setting aside the verdict and driving from place and power those who have misled or deceived them.

The past is beyond recall, but the future stands a willing handmaid to reward patriotic endeavor.

I shall not now discuss the cause of education that pleads to us with infant lips for opportunity to elevate and bless our children and our commonwealth, nor of other matters of grave importance to the people of the State. These I shall presently consider in a message to your general assembly; I prefer now, for the brief time I shall ask your attention, to speak somewhat of the resources and capabilities of the State we all love.

With an area of but little more than fifty thousand

square miles, there is no territory of like size in the known world so prolific in the variety of its resources; were a wall erected around our State, cutting off all access, we could produce within our borders everything necessary for the comfort and convenience of man. Great veins of iron ore and seams of coal put at our command almost boundless resources in fuel, iron and steel. Splendid forests of yellow pine here stand ready to build homes for milllions of people. Building stone and marble, fire clay, kaolin and lime exist in great abundance; walnut, maple, oak, cherry, ash and other hard woods, await the hand of man for manufacture or the adornment of our homes.

In the production of pig iron we take rank as the fourth State in the Union; in iron ore, third; in coal we stand fifth; in the production of cotton fourth, and in its manufacture, fourth.

In lumber we are near the head of the list.

It would be unjust should I fail to include in our minerals copper, lead, graphite, marl and gold, indeed, the only mineral that we seem to be without and to want most in silver.

Leaving forest and mine and coming to our fields we find that they produce generously cotton, corn, wheat, rye, oats, tobacco, rice and the grasses and here is the home of the grape and all small fruits. Vegetables are grown with great success, ann this industry is steadily developing. Our splendid rivers, the Alabama, Coosa, Tallapoosa, Warrior, Cahaba, Bigbee and the Tennessee are the liquid arteries of the commonwealth, fed by innumerable creeks, all fruitful in power to convert our raw products into articles of merchandise.

Over 3,400 miles or railroads traverse our State from north to south, and east to west, furnishing quick transportation to market for our products.

When we come to our climate we find that the Giver of all good things has not stayed His hand, and that He has blessed us with opportunity to labor twelve months in the year without detriment to health or comfort. Indeed, we can scarcely appreciate the blessings we enjoy in this respect when compared with less favored regions for even now we are seemingly unconscious that roses

are blooming in our gardens and the fragrant air is sweet with their perfume.

The Piedmont region of our State shows that its average thermometor in the summer and winter corresponds almost exactly with that of Berlin and Hamburg, whilst Mobile and the lower part of the State correspond largely with the climate of Frankfort-on-the-Main and Carlsruhe. The average temperature for the whole State shows about 40 degrees Fahreheit for January, 75 for July, and 60 degrees for April and October.

Our streams abound in fish, our woods are fragrant with flowers, and our beautiful seaport supplies an abundance of fish and oysters for all our people. Nowhere in all the republic can more prolific response be had from the soil to the intelligent cultivation of man. Nowhere can purer water or more genial climate, or sunnier skies be found to bless contented homes.

These are our opportunities these the substantial ground work upon which a great commonwealth can be erected.

It is our duty and our privilege to utilize these blessings.

This is the age of industrial development, and to that task the legislator and citizen should bend their energies and weary not in well doing. When we consider that we are now cultivating and utilizing less than one-third of these resources, and that the other two-thirds produce taxes only, it behooves us to invite to our borders and give generous welcome to men and money to aid in awakening these dormant resources.

Our pig iron should be melted and our cotton spun and woven at home, thus giving greater employment to labor and establishing home markets for our agricultural products.

The smoke of our factories should be found rising in every county, and our furnaces, like pillars of fire, should light the night.

The production of grasses and the raising of cattle should be stimulated until we become one of the great beef raising states of the union.

There seems to be no good reason why our productive lands should not become a great center for the manufac-

ture of beet sugar and by its exportation to sister state and further store to our increasing income; canning establishments should utilize fruits and vegetables that now too often rot on our farms.

Behind these splendid resources we have a patriotic hospitable people, equal laws and an incorruptable judiciary securing to those who may come amongst us generous welcome and ample protection to life, liberty and property. Were these facts made known to the people of the north and west, where a trying climate and a dense population are constantly multiplying the difficulties in the struggle for existence, I am persuaded that the course of empire would be divested to the south and that many of us here present would live to see our State as great in population, enterprise and wealth as she is now in resources.

We have nothing to ask of the federal government except equal laws, and perhaps the perfection of a system of coast defenses that in case of sudden war would enable our citizen soldiers to defend this fair land from invasion and maintain the national honor. Considering the galantry of our brethren, who in obedience to the call of duty, were prodigal in deeds of valor in the war between the states, no one could doubt that should occasion arise, even more splendid achievements would adorn the defense of home and natural integrity by the men of this generation.

We must also bear in mind that as our State progresses in population, wealth and development, we can devote larger and larger sums to the education of our children, the reformation of our criminal classes, and the enlightened progress of our people, until our common wealth shall stand at the very head of the list of states, not only on the roll call, but in all that commands the admiration and affection of the good and the wise.

In order to accomplish this great destiny no sumptuary laws, no restraint upon personal liberty, except for the common good, should ever mar our statute books, and all the people should be permitted to work out their own destiny and worship God according to the dictates of their own consciences, free from any legislation that will hamper them in the enjoyment of their rights. We

have the right to congratulate ourselves on the progress we have made. At the close of the war, after our ranks had been thinned by that bloody struggle, we returned to homes upon which the hand of disaster had fallen, without money or credit, more than half of our property destroyed, and with an alien government imposed upon us intent chiefly upon pillage. We undertook the task of reconstructing our fortunes, a task almost as great as that of conquering success on fiery fields against gallant soldiers thrice our superiors in numbers and equipment.

Within a generation we have restored the waste places more than doubled our productions, built cities, opened mines, erected furnaces and factories, established our credit, and largely increased our appropriations for free schools. This great work has been accomplished almost wholly by southern men and southern women. We have been the pioneers of our own development: on the great industrial fields we have met our brethren of the north and compelled recognition as competitors worthy of their steel.

The manufacture of cotton is steadily drawing around the fields where it is grown. In iron we have not only invaded territory heretofore possessed by our friends in Pennsylvania and Ohio and entrenched ourselves there for permanent occupation, but are now shipping our product to Great Britian and Italy, Germany and Spain, and under selling in their home markets those who have had the trade of the world for generations at their command.

Having accomplished such results as this ourselves, we have the right to expect that as sectional prejudice disappears before the rising light of a broader patriotism our progress shall be still greater in the future.

Here on this spot, hallowed to us by so many sacred memories; here where a young nation was born amid the thunder of hostile artilery, baptized in the blood of its noblest sons and then maintained the unequal struggle for sovereignty for four bloody years; what more appropriate place than this for us to dedicate ourselves once more to the preservation and maintenance of the union, whose declaration was framed, whose armies were led and whose highest court has been illuminated

by southern men?

Holding in our hearts an unforgetful memory of the splendid achievements of our revolutionary fathers, and the glorious deeds of our confederate brethren, deeds that immortalize southern valor and glorious American manhood, we should show to our brethren of other states that our people are as noble in peace as they were heroic in war, and that in the field of educution, morality, religion and industrial development we shall make a more splendid record than our brethren did on fields of blood.

With a profound gratitude to the God of our fathers, that our lots have been cast in this sunny land, let us beseech Him to send warmth and vitality and enduring growth into every field of endeavor, that will make us strong to accomplish the things that make a State loved at home and revered abroad.

OATH OF OFFICE.

The oath of office prescribed by law was then admintered to the Governor-elect, Joseph F. Johnston, by Associate Justice of the Supreme Court of Alabama, Thomas W. Coleman.

The senate then returned to its chamber.

Having arrived in its chamber the senate resumed consideration of the regular order of business.

MESSAGE FROM THE GOVERNOR.

STATE OF ALABAMA,
CHIEF EXECUTIVE OFFICE.
MONTGOMERY, ALA., December 1st, 1896.

To the General Assembly:

Under the Providence of God you have been chosen by the people of Alabama to direct their affairs and shape their legislation for the next two years. This duty should be discharged by you under a solemn sense of the responsibilities involved, and with unforgetful memory that you are the servants of the people. No party spirit and no partisan zeal should influence your action. We must

remember that he who would serve his party best will best serve the people.

I am persuaded that at no time in the history of the State has a more capable, intelligent and patriotic body been assembled to legislate for our people, and I congratulate myself and the State that the paramount consideration that will control your conduct will always be the good of the people. So far as I am concerned I need hardly assure you that I shall do all I can to assist you in your deliberations to reach wise conclusions, and that in the administration of the laws I shall not be diverted from a fearless and impartial execution of the powers entrusted to me by any sentiment of friendship or desire for political advantage.

The great body of our people ask nothing at your hands or mine but such legislation and administration as will enable them to enjoy in peace and security the fruits of their own labor, and that the burdens of government shall fall upon all alike.

The political contests that have so agitated our people during the whole of this year are now behind us. It is our duty to cheerfully accept the verdict of the people, do what we can to heal any breaches that separate our people and unite in one common effort to secure to our country the blessing of peace and prosperity. If the settlements of the issues involved in these contests has been wise, time will soon make the proof, and if unwise, we can confidently trust the people to set aside the judgment and adopt correct policies.

The great duty now before you is to see that the commonwealth comes to no harm, to preserve its honor and dignity, promote the development of its resources, extend our educational facilities and maintain peace and good order within our borders.

In obedience to the powers conferred upon me I beg to submit for your wise and patriotic consideration some suggestions that I think of importance to our people.

ECONOMY.

The auditor's report shows that for the ten years ending with 1895, with the exception of three years, our ex-

penses have exceeded our income. The increase of the tax rate two years ago put an end to this and showed a surplus revenue of about $38,000, checking the growing deficit and reducing it. The report of your joint committee on the condition of the treasury is before you. If that does not warn the general assembly that the only wise policy we can pursue is to cut down our expenses, and to increase our revenues by a more efficient system of assessments and collections, nothing that I can say will do so. In the management of our private affairs whenever income falls below expenses we are quick to reduce expenses, and this policy should govern us in administering the affairs of the people.

I am unable to see why the State should pay more for the same talent and service than private individuals or corporations. The number of applications that have come to me for places at the present compensation show that no apprehension need be felt that we shall be without efficient service. We should not be deterred from doing our duty to the people by fear of being called niggardly. We must remember that not a few of the dollars that come into our treasury express the self-denial of many humble homes. The dignity of the commonwealth will be better preserved by promptly meeting our obligations and promoting the cause of education than by increasing salaries. It is always easy to increase salaries and almost impossible to reduce. I respectfully suggest that you consider now and carefully all the salaries now paid to all the officials, and clerks, and see what reduction can be made that will not impair the efficiency of our public service. Possibly there are a few that should be increased, but where one should be increased I am satisfied many could be reduced without injury to the public until returning prosperity will enable us to be liberal as well as just.

CONTEST LAW.

I respectfull recommend that you proceed to enact a contest law, under which a fair decision can be had to the title of the various State offices, with the least possible delay and expense. It is of the greatest importance

that no cloud should rest upon the title of the men called to fill the highest executive offices in the State; men chosen to these offices can but be greatly embarrassed in the discharge of their duties when any considerable number of our people honestly believe them to be beneficiaries of any fraud or unfair conduct. The single aim of such a law should be the ascertainment of the honest choice of the voters without regard to technical defect or irregularities. Such a statute I am sure can now be enacted free from any influence that would excite partisan feeling.

ELECTION LAW.

The honest purpose of every election is to ascertain the will of the majority as to who shall fill the offices. I am persuaded that our present law multiplies the difficulty of many voters in registering their will without any sufficient compensation.

I suggest that the registration law be entirely repealed, except in cities of more than 5,000 inhabitants and in precincts where the residence of the voter is more or less transitory. In the country precincts the great body of the voters are well known to the inspectors and the danger of illegal voting is so small that it does not justify the time lost or expense of registration.

The secrecy of the ballot should be preserved and more rigid laws enacted to prevent corporations or others employing large numbers of men from coercing the will of their employes. No greater danger can threaten free government than the corruption or coercion of voters by those who hold temporary authority over them, and no laws can be too rigid in inflicting just punishment upon those who would take advantage of their authority to prevent an honest expression of the will of the voter.

The inspectors of election should represent the contending parties and no technical defect should prevent effect being given to the will of the voter. In case of deficient or insufficient returns, the county returning boards should have authority and be required to call before them the precinct officers of election and require them to so amend or correct the returns as to make them

speak the truth and enable them to be counted.

PRIMARY ELECTIONS.

I recommend also that you enact laws under which the various political organizations in the State may hold primary elections and secure fair nominations. Possession of the party machinery by one faction too often foreordains the result. The only real opportunity that members of a political party have to express their choice in selecting officials is in these primaries, and the passage of a just and fair law enabling all the candidates to take part in choosing managers for these primaries and prevent any fraction from controlling them will do much to prevent unfair dealing and to secure nominations that will express the wishes and choice of a majority of the voters of the party. It is not expected that any such law should be compulsory until its aid is invoked, but the enactment of one entirely just and fair, designed solely to secure honest results, would put those declining to avail themselves of its benefits so clearly in the wrong that their power to defeat the will of the majority would be greatly curtailed.

TAXATION.

The object of all revenue laws should be to take the least possible amount of money from the people to maintain a just and economical government, and that this burden should fall justly and fairly upon every citizen. That this result is not now obtained so far as impartial taxation is concerned is well known. It seems to be the rule that the more property a man owns the more he multiplies devices to escape his just share of the public burden and in too many instances the assessors diminish their vigilance in proportion as the volume of property of the tax payer increases. Our tax returns for the year 1890, showed a total assessed value of the real and personal property in the State at about $260,000,000, while the federal census for the same year showed a total of about $623,000,000. The same glaring differences are shown in the reports of the commercial agencies; corpo-

rations, co-partnerships and individuals whose assets are rated in these agencies in a most gratifying way find them collapsing in the presence of the assessor. The unfairness of this state of affairs is that the man of moderate means whose property is visible, and usually consists of a house and lot or a small farm, cannot escape and bears an unfair proportion of the public burden.

If all our people were compelled to make fair returns of their property the tax rate could be largely diminished and the amount paid by each would be small. We can scarcely hope that this will be done voluntarily, and must therefore devise such means as we can to secure the best results. The great difficulty in our way is the assessor.

I recommend that large power be given to the Governor to suspend assessors who fail or neglect to perform their duty, and I suggest that specific causes for suspension be set out in the act, and chief amongst them.

1. The failure of the assessor to list all the real estate in the county.
2. Listing occupied real estate to unknown owners.
3. Failing to list solvent credits secured by recorded liens.
4. Receiving assessments without putting the taxpayer under oath.
5. Receiving assessments from agents where the principal resides in the State.
6. Sub-dividing occupied tracts into small parcels in the assessment to increase fees.

Many counties are divided by lines that do not follow the division by sections or townships or even natural lines. These should be corrected, for it results in the escape of much land from taxation. Commissioner's courts should be required to keep accurate township plats of their counties on file.

I concur in the recommendations of the auditor that the act establishing county boards of equalization be repealed, and also in his recommendation that the act of February 18, 1891, be repealed and suggests that all such claims should be thoroughly investigated, and only paid where the general assembly appropriates the money.

The report of the auditor shows that lands are assessed in this State running from a minimum of 96 cents per acre in one county up to $11.50. The inequality of this is manifest to any one having any large acquaintance with the State. We all know that there is a difference of value in different sections, but we find from this report that lands of the same character lying in almost contiguous counties are assessed at values entirely irreconcilable with equality in the distribution of the burdens of government. A study of the detailed returns also shows that a mule loses a large part of his value in crossing a county line. To remedy these evils I suggest that a State Board of Equalization be created, consisting of the Auditor, Treasurer and Commissioner of Agriculture, a part of whose duty it shall be to fix the average value of lands in each county and also correct such other inequalities as shall seem best to your wisdom.

I also suggest that you enlarge somewhat the license list, and charge some official with the duty of enforcing the collection. Among the articles that can be added to this list is the bycicle, which has almost wholly escaped taxation, whilst it has reduced the demand for horses and mules, and to that extent diminished one source of income to many of our people.

I recommend also that instead of adding interest to the amount to be paid by tax-payers who fail to pay by a given date at the present rate fixed by law, that a fixed per cent. be added of, say one per cent. for each month in default. So that all payments made during any one month will have the same addition in the way of interest and thus enable the Auditor to keep a proper check upon all collectors. I recommend also that all licenses not paid during the first fifteen days of January shall have a penalty of 10 per cent. added for each month so in default.

I recommend further that you multiply the objects of taxation and add a tax on collateral inheritances and gifts and bequests.

I concur in the recommendation of my predecessor in regard to the payment of costs upon the receipt of a con-

victs and of withdrawing them from competition with skilled labor, but few deny. In the present condition of our treasury and the inability of our people to contribute more largely to the support of the governmont, we are constrained to proceed carefully, but the efforts in this direction should be adhered to until the whole system be rooted out and at the earliest possible moment. Humanity, justice and fair dealing require this. That policy has been declared, some progress made, and there should be no hesitating or faltering in pursuing it. I fear that the cotton factory established at Speigner will not bring the anticipated returns, from the character of the labor to be employed and the frequent changes that must take place in it. The convict bureau has grown to large proportions. The receipts and disbursements annually aggregate several hundred thousand dollars, and the supervision reaches the proper care and punishment of a large number of human beings. It is growing more complicated, and I am inclined to think larger compensation will have to be provided in order to command adequate talent. All of the inspectors and officials connected with the department should be required to reside at such places convenient to their work, as the governor may designate, and the whole of their time be at the command of the State. The traveling expenses of these officials and employés in visiting their families should not be paid by the State. Larger power and discretion should be given the board, under the governor's approval, to hire convicts either publicly or privately and for such work as the best interests of the State and the convicts may require. Inspectors should be prohibited from appointing to any service under them persons related to them either by blood or marriage, so that nothing shall prevent their holding each employé to rigid accountability. I am inclinded to think this would be a wise law to make applicable to every public official having the power to appoint or employ men to serve the people.

LYNCHING.

I especially invite your attention to the consideration of the violation of our laws by mobs. Where the ad

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ministration of the law is wholly within the grasp of the best citizens of the State; where the sympathies of the judge and jury are entirely on the side of victims of brutal lust no excuse justifies the spirit that would override the orderly administration of justice. All of us understand how difficult it is to restrain the passion and indignation that arouses the hot blood of relatives and friends to visit summary punishment upon those who commit the most heinous and unforgiving crime against society, but our people must be made to understand that the proper way to punish these and all other crimes is by the law of the land. The danger inflicting punishment upon the innocent when passion and not reason holds the scales is so great, that all good citizens should repress their just indignation and aid in preserving peace and enforcing the laws of the land, which are surely of sufficient severity, and I earnestly appeal to all the good people of the State to unite with us in the resolve that during this administration not a single lynching shall occur. I suggest authority be given the governor to call a special term of the court and have a speedy investigation and trial on information whenever any crime has been committed calculated to arouse great public indignation.

PAROLING CONVICTS.

I recommend that power be given the governor to suspend the sentence of a convict conditioned upon his good behavior. In many cases I think such action would meet the ends of justice and humanity far better than granting an absolute pardon; the fact one so liberated could be returned and compelled to serve out his term in case his conduct proved him unworthy of clemency, would, I think, be found to operate beneficially.

REFORMATORIES.

We should also keep in view the necessity for separating convicts of tender age from association with hardened criminals and of establishing such means of reformation, within our power, as have been proven wise in

other communities. Too often new imprisonment of the young for some offense of light character is the productive parent of hardened crininals.

JURY DUTY.

I invite your consideration to the constantly growing evil in the exemption of large numbers of our most intelligent citizens from jury duty. Membership in some fire or military organization is acquired, not to serve either, but to escape this duty. Impose upon these the discharge of such duty prior to exemption as you think best.

AGE OF CONSENT.

I also invite your attention to the age of consent as now fixed by statute, It is hardly credible that any general assembly representing the chivalry of the south could have designedly declared that a child of ten shall be permitted to consent to her ruin whilst on the civil side she becomes of marriageable age at fourteen. I suggest that you raise the age of consent to fourteen years.

STATE TROOPS.

The prejudice in some quarters against our State troops arises largely from ignorance of the purposes for which they are organized. It has been and is still the policy of the federal government to rely upon a well organized and disciplined body of citizen soldiery rather than a large standing army to preserve internal peace and to protect our country in case of war. This policy not only prevents heavy burdens being imposed upon the people to sustain a standing army, but removes a danger that has always imperiled their libertics. It should be our pride to contribute our quoto to the national safety. Under our laws the State troops are completely subservient to the civil power and subject to its call in times of danger threatening destruction to life and property. We have unhappily had too many instances where persons in the custody of officers of the law have been violently captured and executed without the pretence of trial. It would be worth all the money we expend annually in the maintenance of our establishment to save one human being, whether guilty or innocent, from death by lynching. Our troops are composed of the flower of

our young men, and it should be our pride to see them always ready and willing to preserved the peace,dignity and fair name of our State. It may be well of you to inquire whether the efficiency of the organization can be increased and the expense reduced by considering the suggestions that have been made by the adjutant-general.

CORPORATIONS.

The constitution of the State wisely retains within your grasp the power to regulate public corporations. All of us recognize the necessity for these artificial organizations in the development of our resources and that without them we would be greatly hampered in our progress. No fair man desires any legislation that will cripple these organizations or retard them in accomplishing the purposes of their creation, but a wise supervision is absolutely essential to prevent abuses of the powers conferred upon them. Our railroad commission has done not a little in the past to secure fair rates and prevent discrimination, but I suggest that the powers granted are not sufficient to enable them to give all the relief required, and I recommend that you increase these powers and provide more sufficient remedies to enforce the rulings of the commission and also to so extend their powers as to enable them to investigate and correct by the proper tribunals all rates on freight from points outside the State to stations within.

I also invite your earnest consideration to the regulation of other corporations so as to prevent oppression or abuse of their employers of the charging of extortionate rates for the necessaries of life.

It may be well also for you to consider whether power should not be conferred upon the railroad commission to regulate the charges of telegraph and telephone companies and water companies, and to prescribe such rules and regulations in respect to the latter as will effectually prevent them from supplying unwholesome or impure water to their patrons.

PUBLIC ROADS.

In many counties of the State our public roads are a

disgrace to the commonwealth and to our civilization. Such laws as we have are inefficiently executed. Very little work is attempted except for temporary purposes and to save the overseers and apportioners from indictment. The time has come when temporary expedients should be abandoned and foundations laid for permanent betterment. A few counties have built roads that have increased the value of all their lands and saved thousands of dollars in the wear and tear of teams and wagons and in the saving of time. I think one of the most efficient remedies would be the employment of competent road engineers to lay off the work and require all expenditures of time and money to be made according to well devised plans for permanent betterment. Our road laws should be carefully revised, authority given to commissioners' courts to levy special taxes to procure and keep proper tools and otherwise improve the roads.

IMMIGRATION.

I am persuaded that not only would the development of our State be greatly enhanced, but the prompt and steady returns from an efficient bureau of immigration will justify the expense of creating it. When we consider that nearly or quite two-thirds of our agricultural and mineral lands are productive only of taxes, and that our rural population is so widely dispersed as to largely deprive them of school and church privileges, I think no one can question that it is to the interest of the State that should invite to our borders honest and thrifty citizens who can find here soil and climate and opportunities to make contented homes now becoming so rare in other sections of the union. No better evidence of the fruitfulness of such work can be found than in the colony planted at Fruithurst in Cleburne county, where a large body of lands has multiplied more than six fold in assessed values within about two years, and the influx of industrious citizens continues. The day has passed when men or States can wait for the things they want. The Gods help those who help themselves. We must take steps not only to proclaim our own resources and stretch out our hands for people and money to build up our

state but the bureau should also be ready to give active and efficient aid to all private efforts at development, and generous welcome and watchful care over the people who come. This would, in my judgment, produce more than the cost of the bureau within two years, establish nuclei over the State that would become the prolific parents of continued development and swell the income of our treasury. We can make a wise beginning without involving a large utlay, gain the assistance of our railroads and lay the foundation for a structure that will bless many localities.

This officer may be charged also with the duty of procuring and publishing accurate statistics of our productions in mining, manufactures and lumber.

EDUCATION.

Several years since I said in a public speech that the only safeguard for universal suffrage was universal education. The importance of this cause cannot be overestimated. It constitutes the very bed-rock of civilization and progress. It is one thing that disaster cannot destroy nor the sheriff's execution reach. It elevates the citizenship, diminishes crime and multiplies productive enterprise. The State has a vital interest in each citizen, in his morality, his intelligence and his capacities, as the average of intelligence rises, the value of the citizenship increases. We are pledged to develop our public schools to the limit of fair taxation and this pledge must be rigidly adhered to and faithfully kept with the people who have trusted us. We can better afford to reduce salaries, diminish the number of courts and abolish many offices rather than put the knife into a dollar appropriated for our free schools. The most wasteful profligacy would be the checking of the growth of education, now making but feeble progress.

That our higher institutions are not answering all the purposes of their creation is generally admitted. The remedy must be found, and no man must be allowed to stand in the way of its enforcement.

A. & M. COLLEGE.

The Agricultural and Mechanical College seems to be

making progress. It should be brought closer to the people and its advantages felt by larger numbers of boys from our farms. As it is, this college, designed to promote agriculture and the mechanic arts, does not seem to do all that we could desire, and I bespeak at your hands a careful and intelligent inquiry and such friendly supervision as will push this institution forward in its useful work.

THE UNIVERSITY.

The friends and alumni of our university admit that it is making but little progress. It will hardly be denied that the number and scholarship of its graduates are far below our just expectations; whilst we all admit that a larger endowment would be of great value, we have a right to expect that it shall at least surpass institutions in our state practically or wholly without any endowment. And yet with $24,000 annually of public funds it can hardly be said to much outstrip Howard college or the Southern university, both practically without endowment. The average cost to a student at Howard college, for board, lodging, tuition and all other expenses is about $188, and of the Southern university it is about the same. The public fund received by our university would pay all these expenses, and yet the students are required to pay board and all other expenses aggregating about $150. It is always more agreeable to praise than to criticise, but the time has come for plain speaking. The first necessity now is to make a better institution with the means we have. The result would create a strong appeal to the friends of liberal education to increase the endowment; having been found faithful over a few things it could be entrusted with larger.

It can scarcely be claimed that results are satisfactory that turn out some thirty or forty young men annually, a considerable proportion of them graduates at law, at a cost of $24,000. That the institution has contributed many splendid men to the service of the State none deny, but all desire that it shall do yet greater work in the future. All of us must take our fair share of the blame for none of us have done our duty. The general assembly itself has not shown that interest and watchful care

that the importance of this subject demands. So far as I know no legislative committee has visited this institution or inquired into its condition or considered any remedies for many years. The board of trustees, whilst excellent gentlemen, visit the university once a year and give but a few days to the consideration of this grave matter. Some of them do not attend, and the faithful few have been discouraged at the little interest manifested in the success of the institution by the great body of our people. I recommend that you appoint a special joint committee to sit during the recess, make a thorough investigation with such assistance as they can get from the trustees and alumni, bringing in for your consideration such suggestions and revision of present statutes and organization as will make the institution an honor to our state. No political influence, no consideration for men, nothing that stands in the way of progress should divert you from such legislation as will prove wise and beneficial.

In this connection were not our constitutional provisions in the way I would be strongly inclined to recommend that one board of trustees should have the control, direction and management of all our higher institutions, aided by the state, thus keeping down jealousies and securing a harmonious system and development along the lines these several institutions were created to reach; and it may be well for you to consider whether such a board would not be wise for those institutions not coming within the constitutional prohibition; or putting them all under direction of one of the boards now provided for by the constitution.

NORMAL SCHOOLS.

The state has seven normal schools. These institutions were created to provide a competent and skilled corps of teachers for our public schools. The total amount diverted by them from the common schools aggregates but little more than $20,000, and it has been supposed that the efficiency of the teachers would largely compensate for the diversion of this money. There can be little question but that a skilled and trained teacher can

accomplish more in one month than an untrained one in two, and whilst our finances prevent us from keeping these schools open for long terms, the greater the necessity for trained teachers. It seems to me, however, that we need more rigid laws in respect to the beneficiaries of these schools. The obligation to teach within our state for a prescribed term should be capable of enforcement, and rigidly enforced. Graduates who seek employment in other states or abandon teaching should be required to refund the cost of their training to the state. Too many of them remove at once from our state or engage in other occupations, and we lose the entire benefit of our labor and expenditures. The presidents of the various colleges should be required to keep a record of all such graduates and report them from time to time to the superintendent of education. From all the information I can gather all of our normal schools are in efficient hands and well conducted and making more or less satisfactory progress.

It may be well to guard more fully the funds appropriated to these and the agricultural schools that they may not be diverted from the purpose of the legislature and devoted to local education.

PUBLIC SCHOOLS.

In regard to our free public schools I desire to say that remedies to make them more efficient have given me greater concern and anxiety than any other branch of government. I have devoted not a little time and study to this question, and I am persuaded that next to larger appropriations of money the most important reforms and improvements demanded are:

1. To improve the qualifications and secure better and more efficient teachers. It may be wise to consider whether the licensing and grading of teachers should not be committed entirely to a board of competent educators, whose jurisdiction should cover the entire state. This would entirely remove this matter from political influences, and secure better teachers.

2. The distribution of the school funds on the basis of average attendance of pupils in the several counties

and school districts for the previous year. This would destroy the temptation to swell the census in order to obtain an unfair proportion of the fund, stimulate the attendance at the schools and at the same time reward those who seem most highly to appreciate the advantages offered them. The report of the state superintendent shows that in some of our counties more than half of the population are within the school age, whilst the general average does not reach 40 per cent.

3. The abolition of arbitrary township lines and the sub-division of school districts on the basis of attendance or school population and prohibiting more than one school for each race within an area of nine square miles or nearer each other than three miles.

It seems to me that no sufficient reason exists why the establishment of school districts should be based upon acres rather than children, and it should be our policy not to dissipate the fund for the district by multiplying the number of schools, thus shortening the term of all, but to increase the number of pupils, lengthen the term, and, if necessary, multiply the number of teachers at schools established. It seems that in our state where so many townships have but few children of the school age living in them that the unit of organization should be the civil precinct. These civil precincts have been established for the convenience of the people in the matter of elections and assessments and the proper sub-division of our judicial system. Their boundaries are well known, the people accustomed to meet for local purposes, and I am inclined to think that more efficient teachers and wiser supervisors of schools could be had by this change.

4. Securing more capable and efficient county superintendents.

It is a reproach to our whole system that men are frequently elected county superintendents of education and expected to supervise the schools and promote the cause of education, who could not themselves obtain a license to teach a third grade school.

This should not be possible, and I advise your action to prevent it. I also invite your attention to the recommendations contained in the advance sheets of the report of the superintendent of education, whose expe-

rience, both in his office and as a teacher and county superintendent of education, as well as his zeal in the cause, entitle them to your consideration.

CONSITUTIONAL CONVENTION.

The duty is upon you to consider the necessity for a new constitution for our State. That the present constitution has served its purpose and now embarasses, rather than promotes, the objects it should subserve is manifest to all thinking men. We should approach the consideration of this question divested of all party spirit, and with a patriotic purpose to consider only the good of the State and the prosperity and advancement of a l its people. Various attempts to secure amendments to our organic law have demonstrated that the very requirements of the constitution prevent any amendment.

It is esential that some of the iron bands that have prevented our growth and development should be struck off.

The fear of improper restriction of the right of suffrage should not be allowed longer to stand in the way of relief demanded more strongly each year. The necessity for local taxation in aid of our public schools, and the and the extension of the system, reforms in our judicial system, the preversation of municipal growth and credit, the encouragement of immigration aud manufactures, and the necessity for securing more equal laws in distributing the burdens of governments all demand that we should take this step.

It is also well known that a large and fruitful section of our State has had a constant menace to its growth and to the security of life and property that should be removed with such moderation, wisdom and justice that even those deprived of the power to imperial these things would in the end find a blessing for themselves and their children in the restrictions imposed. Many compensations can be found for the expense, the agitation and the danger that may confront yours affirmative action in this matter.

The security, peace and concord that would come

from the successful accomplishment of these changes would bless not only this generation, but those to follow us by opening opportunities for progress and removing dangers sometimes averted by resort to methods that all patriotic citizens deplore.

A provision requiring a substantial poll tax to be paid by all who vote would probably give all the security needed, and at the same time largely increase our school fund.

All of us recognize the fact that this question must be met sooner or later, and I respectfully urge the General Assemlby to meet this issue now, honestly and faily, and with a courage which comes only to those who have unbounded confidence in the patriotism and intelligence of the freemen of Alabama.

In conclusion, permit me to assure you of my cordial co-operation in all measures that may come before you looking to the good of our people.

Jos. F. Johnston.

On motion of Mr. Pettus 250 copies of the Governors message were ordered to be printed.

ADJOURNMENT.

At 2:47 o'clock p. m. on motion of Mr. Smith, the senate adjourned until 10:30 o'clock to-morrow morning.

NINETEENTH Day.

Wednesday. December 2nd, 1896.

The senate met pursuant to adjournment.

Prayer by the Rev. Mr. Davis of the city.

Present:

Messrs. President, Abercrombie, Bethune, Boykin, Brooks, Brown, Buchanan, Cunningham, Day, Deans of Shelby, Deens of Covington, Grant, Hawkins, Hogue, Hollis, Kilpatrick, Lee, Matthews, McElderry, Moody,

Nolen, Pettus, Robinson, Rogers, Smith, Sowell, Thomason, Walker.—28.

On motion of Mr. Boykin the reading of the journal was dispensed with.

INTRODUCTION OF BILLS.

On the Call of the districts, bills were introduced, read and referred to approriate committees, as follows:

By Mr. McElderry—

s. 174. To amend the charter of the town of Eutaw, in Greene county, in the State of Alabama, and all acts amendatory thereto.

Municipal and county organization;

By Mr. Rogers—

s. 175. To preserve the fields and forests of Sumter county against fires.

Agriculture;

Also,

s. 176. To regulate peddling in Sumter and Pickens counties,

Finance and taxation;

By Mr. Day (by request)—

s. 177. That all laws or parts of law which authorize or require the license tax arising from the sale of licenses in Mobile county, to be paid for the public schools of said county, be repealed,

Local legislation.

MESSAGE FROM THE HOUSE.

Mr. President:

The house has originated and passed, and ordered to the senate without engrossment,

H. 204. To prohibit the sale, giving away or otherwise disposing of any spirituous, vinous or malt liquors within five miles of the Saginaw M. E. Church, Shelby county, Alabama.

And house has originated and passed the following bills:

H. 273. To amend section 4100 of the criminal code of Alabama;

H. 281. To amend section 2081 of the code as to presentation of claims against the estate of deceased persons and when claims are barried;

H. 282. To amend section 2134 of the code, when final settlement of a deceased person's estate may be made.

MASSEY WILSON,
Clerk.

HOUSE MESSAGES.

The house bills in the foregsing house message were severally read once and referred to appropriate committees, as follows:

H. 281, 282, to judiciary;

H. 204, to temperance;

H. 273, to commerce and common carriers.

REPORTS OF COMMITTEES.

Bills were reported from committees and read a second time, as follows:

By Mr. Hogue, from local legislation, favorably, with amendment—

H. 70. For the improvement of roads and bridges in Jackson county;

By Mr. Kilpatrick, from municipal and county organization, favorably, with amendment—

S. 156. To establish a charter for the town of Ashland, Clay county, Alabama;

Also, favorably,

H. 246. To establish a new charter for the city of Talladega;

By Mr. Moody, from temperance, favorably—

H. 351. To prohibit the manufacture, sale, giving away or otherwise disposing of any distilled, vinous, malt or alcoholic liquors of any kind within five miles of the Elba High School in the town of Elba, Coffee county, Alabama;

Mr. Sowell from the committee on engrossed bills reported the following bills correctly engrossed:

S. 15, 114, 121, 125, 130, 117.

MESSAGE FROM THE HOUSE.

Mr. President:

The speaker of the house having signed the following bills, your signature is requested thereto:

H. 79. To authorize and require the commissioners' court of Lamar county to set apart and appropriate money from the general fund of said county, with which to pay and discharge certificates of State witnesses issued by the foreman of the grand jury and by the clerk of the circuit court of said county, fees which by law became a good claim against the fine and forfeiture fund of said county, after the approval of this act, and to regulate the manner of said payments and fixing the amount of said witness fees,

H. 17. To amend section 1 and 2 of an act to change the mode of compensating the solicitor for the county of Mobile, approved December the 9th, 1886,

H. 141. To prohibit the law partner or partners of circuit, city or county solicitors of this State from defending cases in any court in this State where said solicitor prosecutes,

H. 187. To amend an act entitled an act to incorporate the city of Tuskaloosa, approved March the 12th, 1873, by the addition of section 104, authorizing the mayor and aldermen of the city of Tuskaloosa to require railroad companies operating railroads over the public streets of said city, to keep electric lights, or lights of equal power, at all points where such railroads cross the public streets of said city of Tuskaloosa,

H. 152. To amend section 2571 of the code of 1886,

H. 169. To amend section 3874 (4419, 4120) of the code of Alabama, 1886,

H. 159. To donate twenty-five (25) copies of the Code of Alabama of the year 1886 to the law library of the State University,

H. 29. To authorize the corporate authorities of the city of Decatur to assess, levy and collect a special tax for fire protection;

H. 216. To amend section seven of an act entitled an act to prevent stock from running at large in certain portions of Hale and Tuskaloosa counties, approved February 21, 1887;

H. 38. To change the time of holding of the chancery courts in the northwestern chancery division as to the counties of Blount, Walker and Winston, Fayette and Tuskaloosa;

H. 90. To confirm the incorporation of the Fidelia Club, of Mobile, Alabama, and to amend its charter;

H. 91. To confirm the incorporation of the Athelstan Club of Mobile, Alabama, and to amend its charter;

H. 130. To authorize the board of mayor and councilmen of the city of Phoenix City "to issue and negotiage bonds of said city to an amount not exceeding ten thousand dollars for the purpose of purchasing and laying sew pipe, improving the streets of said city and paying the indebtedness of said city;

H. 9. To repeal an act entitled an act to provide for the protection and preservation of game, animals and birds in Fayette county;

H. 40. To create a separate school district in town of Oakman, Alabama, to define the boundaries thereof and provide for maintenance of schools thereof.

MASSEY WILSON,
Clerk.

SIGNING OF HOUSE BILLS.

The president of the senate, in the presence of the senate, immediately after their titles had been publicly read by the secretary, signed the foregoing house bills, the titles of which are set out in the foregoing house message.

SPECIAL ORDER.

The special order set for consideration as the first business immediately after the reports of committees, being the bill

S. 148. To authorize and require an election to be

held in this State concerning the regulation of the sale, giving away, or delivery of spirituous, vinous, and malt liquors in this State, and to declare the effect of such election

Was taken up.

On motion of Mr. Moody, the further consideration of the bill was postponed and made the special order for 12 o'clock m. on Monday, December 7th, 1896.

OTHER SPECIAL ORDERS.

On motion of Mr. Pettus the other special orders set down for to-day at 12 o'clock m. were postponed and made the continuing special orders for to-morrow at 12 o'clock m., to-wit: S. 3 and H. 136, H. 201 and S. 7.

BILLS ON THIRD READING.

The bill,

S. 159. To legalize the acts of the jury commission of Wilcox county, Alabama, in filling the jury box of said county and the drawing of the grand and petit juries therefrom in November, 1896, for the year 1897,

Was taken up.

The pending amendment as section 2 of the bill, was adopted.

The bill as amended, was read a third time and passed—yeas 23, nays 0.

Yeas:

Messrs. President, Abercrombie, Bethune, Boykin, Brewer, Brooks, Brown, Buchanan, Day, Deans of Shelby, Deens of Covington, Grant, Hawkins, Hollis, Kilpatrick, Lee, Moody; Nolen, Pettus, Robinson, Smith, Sowell, Walker—23.

The bill,

S. 146. To amend sections one and five of an act entitled "an act to provide record books and stationery for the office of the probate judge of Blount county, for use in the western division of said county, and to require such judge to keep the books, records and papers, so provided for, at the court house at Bangor, or within one mile thereof, and to keep a clerk, who shall have

authority in the name of the probate judge to do and perform all ministerial acts which are, or may be by law, required to be performed by such probate judge in said western division, and to provide for the holding of probate courts at Bangor," approved February 14, 1893;

Was read a third time and passed—yeas 24, nays 0.

Yeas:

Messrs. President, Abercrombie, Bethune, Boykin, Brooks, Brown, Buchanan, Case, Day, Deans of Shelby, Deens of Covington, Grant, Hall, Hawkins, Hollis, Kilpatrick, Lee, Matthews, Moody, Nolen, Robinson, Smith, Sowell, Walker—24.

The bill,

s. 147. To amend section five of an act entitled "an act to regulate the times of holding circuit courts in the western division of Blount county, and to provide records therefor, and to require the clerk of the circuit court of said county to keep a deputy clerk and office at Bangor, in said western division," approved December 13th, 1892,

Was read a third time and passed—yeas 22, nays, 0.

Yeas:

Messrs. President, Abercrombie, Bethune, Boykin, Brooks, Brown, Buchanan, Case, Deans of Shelby, Deens of Covington, Grant, Hawkins, Hollis, Kilpatrick, Lee, Matthews, McElderry, Moody, Nolen, Robinson, Smith, Sowell—22.

The bill,

H. 218. To provide for the compensation of jurors in the county court of Bibb county,

Was read a third time and passed—yeas 23, nays 1.

Yeas:

Messrs. President, Abercrombie, Bethune, Boykin, Brooks, Brown, Buchanan, Case, Day, Deans of Shelby, Deens of Covington, Grant, Hawkins, Hollis, Kilpatrick, Lee, Matthews, McElderry, Moody, Nolen, Smith, Sowell, Walker—23.

Mr. Robinson voted no—1.

The bill,

H. 220. To authorize the solicitor of the ninth judicial circuit to appoint a deputy solicitor for the Western Division of Blount county,

Was read a third time and passed—yeas 19, nays 0.

Yeas:

Messrs. President, Abercrombie, Bethune, Boykin, Brooks, Brown, Buchanan, Case, Deens of Covington, Grant, Hall, Hundley, Kilpatrick, Lee, Matthews, Nolen, Smith, Sowell, Walker—19.

The bill,

H. 372. To amend an act entitled "an act to amend the charter of the city of Uniontown, county of Perry, State of Alabama," approved February 16, 1891,

Was read a third time and paseed—yeas 28, nays 0.

Yeas:

Messrs. President, Abercrombie, Bethune, Boykin, Brooks, Brown, Buchanan, Case, Cunningham, Day, Deans of Shelby, Deens of Covington, Grant, Hall, Hawkins, Hogue, Hollis, Hundley, Kilpatrick, Lee, Matthews, Nolen, Pettus, Robinson, Rogers, Sowell, Thomason, Walker—28.

The bill,

H. 132. To amend an act entitled "an act to fix the right of the city of Mobile to certain real estate, approved February 18th, 1895,

Was read a third time and passed—yeas 28, nays 0.

Yeas:

Messrs. Abercrombie, Bethune, Brewer, Brooks, Brown, Buchanan, Case, Cunningham, Day, Deans of Shelby, Deens of Covington, Grant, Hawkins, Hogue, Hollis, Hundley, Kilpatrick, Lee, Matthews, McElderry, Nolen, Pettus, Robinson, Rogers, Smith, Sowell, Thomason, Walker—28.

The bill,

S. 135. To amend section 4 of an act entitled "an act to dispose of lands which have been or which may hereafter be sold for taxes and bid in for the State and which have not been redeemed or purchased from the State," approved February 9, 1895,

Was taken up.

Mr. Brown offered a substitute for the pending amendment.

On motion of Mr. McElderry the substitute for the amendment was laid on the table.

Mr. Brown offered an amendment to the pending

amendment.

On motion of Mr. Sayre, (Mr. Pettus, presiding), the bill and amendments were recommitted to the committee on finance and taxation.

The bill,

H. 4. To make appropriations for the ordinary expenses for the executive, legislative and judicial departments of the State, for interest on the public debt, and for public schools,

Was taken up.

Mr. Brewer moved to strike out the latter part of the first amendment reported by the committee. Carried,

And the first amendment, as amended, was adopted.

The second amendment reported by the committee was adopted.

Mr. Smith offered the following amendment:

Amend subdivision thirteen by striking our the word "six" where it appears, and by inserting in lieu thereof the word "nine"; also by striking out the word "twelve" where it occurs and inserting in lieu thereof the word "eighteen."

Mr. Brewer moved to lay the amendment on the table,

Which motion prevailed, yeas 19, nays 12.

Yeas:

Messrs. Abercrombie, Bethune, Brewer, Brooks, Buchanan, Cunningham, Deens of Covington, Grant, Hawkins, Hogue, Hollis, Kilpatrick, Matthews, McElderry, Nolen, Robinson, Rogers, Sowell, Thomason—19.

Nays:

Messrs. President, Boykin, Brown, Case, Day, Deans of Shelby, Hall, Lee, Moody, Pettus, Smith, Walker—12.

Mr. Cunningham offered an amendment as follows:

Amend subdivision 9 by striking out "one thousand dollars for each year," and inserting in lieu thereof twelve hundred and fifty dollars for each year; in all twenty-five hundred dollars,

Which, on motion of Mr. Brewer, was laid on the table.

The bill, as amended, was read a third time and passed; yeas 27, nays 0.

Yeas:

Messrs. President, Abercrombie, Bethune, Boykin, Brewer, Brooks, Brown, Buchanan, Case, Cunningham, Day, Deans of Shelby, Deens of Covington, Grant, Hall, Hawkins, Hogue, Kilpatrick, Lee, Matthews, McElderry, Nolen, Robinson, Smith, Sowell, Thomason, Walker—27.

The bill,

H. 171. To authorize and empower the mayor and council of the town of Athens to issue and sell bonds of said town to an amount not exceeding fifteen thousand dollars falling due not more than thirty years from their date, bearing not exceeding six per cent interest payable semi-annually for the purpose of establishing and operating a first class system of waterworks in and for said town and its inhabitants,

Was read a third time and passed; yeas 27, nays 0.

Yeas:

Messrs. President, Abercrombie, Bethune, Brewer, Brown, Buchanan, Cunningham, Day, Deans of Shelby, Deens of Covington, Grant, Hall, Hawkins, Hogue, Hollis, Hundley, Kilpatrick, Lee, Matthews, McElderry, Moody, Nolen, Pettus, Robinson, Smith, Sowell, Thomason—27.

ADJOURNMENT.

At 12:35 o'clock P. M., on motion of Mr. Cunningham, the senate adjourned until 10:30 o'clock to-morrow morning.

TWENTIETH DAY.

Thursday, December 3rd, 1896.

The senate met pursuant to adjournment.

Prayer by Rev. Dr. Davis of the city.

Present:

Messrs. President, Abercrombie, Bethune, Boykin, Brewer, Brooks, Brown, Buchanan, Case, Cunningham, Day, Deans of Shelby, Deens of Covington, Grant, Hall,

Hawkins, Hogue, Hollis, Hundley, Kilpatrick, Lee, Matthews, McElderry, Moody, Nolen, Pettus, Robinson, Rogers, Smith, Sowell, Thomason, Walker—31.

On motion of Mr. Pettus, the reading of the journal was dispensed with.

INTRODUCTION OF BILLS.

On the call of the districts, bills were introducued, read and referred to appropriate committees, as follows:

By Mr. McElderry—

s. 178. To appropriate the sum of twenty-two thousand dollars ($22,000.00), to be used in the additional improvement of the institutions for the deaf and blind in this State,

Education;

Also,

s. 179. To establish the Lineville school district in Clay county,

Education;

By Mr. Thomason—

s. 180. To prohibit the making of any contract for the payment of money in any other currency than the general legal tender of the United States,

Judiciary;

By Mr. Hollis—

s. 181. To legalize the holding of the office of county superintendent of education by women in this State,

Education;

By Mr. Cunningham—

s. 182. To amend sections twelve, fifteen and sixteen of an act approved on the 26th day of January, 1891, entitled an act to establish a charter for the town of Woodlawn, in Jefferson county, Alabama,

Municipal and county organization;

Also,

s. 183. To extend the corporate limits of the town of Woodlawn, extend the police jurisdiction of the corporate authorities of said town and to further define the duties of the mayor and aldermen of said town as to the school fund,

Municipal and county organization;

By Mr. Grant—

s. 184. To unite all of fractional township 13, R. 5, with all of township 13, R. 4, between Oak Tuppah creek in Choctaw county into one township school district,

Education;

By Mr. Walker—

s. 185. To establish a separate school district in and for the city of Demopolis, and the territory included in the limits of the police jurisdiction thereof, in Marengo county, Alabama, and to provide means to support said separate school district,

Corporations;

By Mr. Brooks—

s. 186. To relieve Andrew J. Green of Geneva county, Alabama, of the disabilities of non-age,

Judiciary;

By Mr. Abercrombie—

s. 187. To create the town of Edwardsville, in Cleburne county, a separate school district,

Education;

Also,

s. 188. To declare the powers and jurisdiction of the city court of Anniston, of Calhoun county, Alabama,

Judiciary;

By Mr. Sayre—

s. 189. To incorporate the Capital City Ferry Company,

Corporations;

By Mr. Rogers—

s. 190. To protect the resident tax payers of Sumter and Pickens counties from unjust competition,

Finance and taxation;

By Mr. Sayre—

s. 191. To establish a Technical Institute for the colored race in connection with the State Normal School for colored students at Montgomery,

Education;

MESSAGE FROM THE HOUSE.

Mr. President:

The house has originated and passed the following

bills :

H. 271. To make the wife a competent witness for or against her husband in any prosecution against him for abandoning his family and leaving them in danger of becoming a burden to the public ;

H. 272. To amend section 3870 of the criminal code of Alabama ;

H. 478. To prohibit the sale of spiritous, vinous and malt liquors within one mile of the public school house in the village of St. Florian in the county of Lauderdale, Alabama ;

H. 449. To amend section 2 of an act to create the 11th judicial circuit of the State of Alabama, to fix the time of holding court therein, to provide for the appointment of a judge for said circuit and the election of a solicitor for said circuit, approved Dec. 7th, 1894.

The last two are ordered to be sent to the senate without engrossment.

MASSEY WILSON,
Clerk.

HOUSE MESSAGES.

The house bills in the foregoing house message were severally read one and referred to appropriate committees, as follows :

H. 271, 272, 449, to judiciary ;

H. 478, to temperance.

RESOLUTION.

Mr. Sayre, Mr. Pettus presiding, offered the following joint resolution :

Resolved by the senate, the house of representatives concurring, That the governor is requested, if the public convenience will permit, to set apart a room in the capitol for the use of Sophia Bibb Chapter of the United Daughters of the Confederacy.

Which was referred to the committee on rules.

LEAVES OF ABSENCE.

Leave of absence was granted to Messrs. Lee, Buc-

hanan, Hollis, Abercrombie, Brooks and Matthews for to-day, and to Mr. Deens of Covington for to-morrow.

RECONSIDERATION OF VOTE.

Mr. Sayre, Mr. Pettus presiding, moved to reconsider the vote by which the senate, on yesterday, passed the house bill,

H. 4. To make appropriations for the ordinary expenses for the executive, legislative and judicial departments of the State, for interest on the public debt and for public schools;

The motion to reconsider prevailed.

On motion or Mr. Sayre, the vote by which the bill was ordered to the third reading was reconsidered.

Mr. Sayre offered the following amendment:

Amend sub-division 18 of section one by substituting the following:

For compensation of the marshall of the supreme court and librarian, fifteen hundred dollors for each year; in all three thousand dollars; and for his assistant three hundred dollars for each year; in all six hundred dollars.

Mr. Hogue moved to amend the amendment by striking out 1,500 and inserting 1,200, and by striking out 3,000 and inserting 2,400.

Which was lost—yeas 4, nays 22.

Yeas:

Messrs. Buchanan, Day, Hogue and Robinson.

Nays:

Messrs. President, Bethune, Boykin, Brewer, Brown, Cunningham, Deans of Shelby, Deens of Covington, Grant, Hall, Hawkins, Hundley, Kilpatrick, McElderry, Moody, Nolen, Pettus, Rogers, Smith, Sowell, Thomason, Walker—22.

The amendment offerred by Mr. Sayre was then adopted.

Mr. Kilpatrick offered the following amendment:

Amend sub-division 42 by striking out fifteen thousand and insert ten thousand dollars, making in all twenty thousand dollars.

On motion of Mr. Walker, the amendment was laid on the table.

Yeas 16, nays 10.

Yeas:

Messrs. President, Bethune, Boykin, Buchanan, Case, Cunningham, Day, Deens of Covington, Grant, Hall, Hawkins, McElderry, Nolen, Pettus, Robinson, Walker —16.

Nays:

Messrs. Brewer, Brown, Deens of Covington, Hogue, Hundley, Kilpatrick, Moody, Smith, Sowell, Thomason —10.

The bill, as amended,

Was read a third time and passed—yeas 22, nays 0.

Yeas:

Messrs. President, Bethune, Boykin, Brown, Buchanan, Case, Cunningham, Dens of Shelby, Deens of Covington, Grant, Hall Hawkins, Hundley, Kilpatrick, McElderry, Moody, Nolen, Robinson, Rogers, Smith, Thomason, Walker—22.

WITHDRAWAL OF BILL.

Mr. Thomason asked and obtained leave to withdraw from the further consideration of the senate the bill,

s. 139, To incorporate the Copper Hill Mining Company of Alabama.

REPORTS OF COMMITTEES.

Bills were reported from committees and read a second time, as follow:

By Mr. Hawkins, from agriculture, favorably,

s. 175. To preserve the fields and forests of Sumter county against fires;

By Mr. Walker, from corporations, favorably,

s. 157. To incorporate the board of trustees of the Birmingham district of the North Alabama Conference of the Methodist Episcopal Church South, and to define its object, purpose, powers and authority;

By Mr. Moody, from education, favorably, with amendment,

H. 240. To change the name of State "Normal and Industrial School" to "The Agricultural and Mechanical

College for Negroes'' at Normal, Madison county, Alabama, and authorize the same to confer degrees;

Also, favorably,

H. 126. To establish a uniform series of standard school books to be used in the public schools of Jackson county;

Also,

H. 122. To establish a board of education to select a uniform series of text books for the counties of Etowah and Cherokee, and to regulate the duties of said board;

By Mr. Moody, from temperance, favorably, with amendment,

H. 204. To prohibit the sale, giving away or otherwise disposing of any spirituous, vinous or malt liquors within five miles of the Saginaw M. E. church, Shelby county, Alabama;

By Mr. Brewer, from finance and taxation, favorably,

S. 155. To repeal section 499 of the Code of 1876 and an act amendatory of said act approved Dec. 8, 1888, together with all other amendments of said sec. 499;

Also,

S. 165. To confer additional powers and rights upon the Montgomery, Hayneville and Camden Railroad Company, formerly the Montgomery, Hayneville and Camden Railroad;

Also,

H. 8. To repeal an act entitled an act to levy and collect a tax on dogs in Fayette county, approved February 21st, 1893,

By Mr. Pettus, from judiciary, favorably,

S. 171. To further regulate the financial affairs of Dallas county;

Also,

S. 166. To amend section 2707 of the Code of 1886;

Also,

H. 270. To fix the time of holding the circuit court in the counties of Geneva and Henry in the twelfth judicial circuit;

Also,

H. 178. To legalize the jury box of Monroe county and to provide for drawing legal jurors therefrom;

Also,

H. 222. To make the clerk of the circuit court of Butler county ex-officio hard labor agent for said county;

Also,

H. 256. To amend section 4243 of the Code of Alabama, providing for trials on appeals from judgments of justices of the peace.

Mr. Sowell, from the committee on engrossed bills, reported the following bills correctly engrossed:

S. 146, 147, 159.

BILLS ON THIRD READING.

The bill,

H. 70. For the improvement of roads and bridges in Jackson county,

Was taken up and the amendment reported by the committee was adopted and the bill as amended.

Was read a third time and passed—Yeas 23; nays 0.

Yeas:

Messrs. President, Bethune, Boykin, Brown, Buchanan, Case, Cunningham, Day, Deans of Shelby, Deens of Covington, Grant, Hall Hawkins, Hogue, Hundley, Kilpatrick, McElderry, Moody, Nolen, Robinson, Smith, Sowell, Thomason.—23.

The bill,

S. 156. To establish a charter for the town of Ashland, Clay county, Alabama,

Was taken up.

The amendment reported by the committe was adopted,

And the bill as amended was read a third time and passed.—yeas 24, nays 0.

Yeas:

Messrs. President, Bethune, Brown, Buchanan, Case, Cunningham, Day, Deans of Shelby, Deens of Covington, Grant, Hall, Hawkins, Hogue, Hundley, Kilpatrick, McElderry, Moody, Nolen, Pettus, Robinson, Rogers, Smith, Thomason, Walker.—24.

SPECIAL ORDERS.

The senate next proceeded to consider the special or-

ders set for 12 o'clock m. to-day.

The bill,

H. 136. For the protection of the creditors of any insolvent and failing corporation against preferences made or suffered by the directors, officers or managers of such corporation in the payment or security of debts,

Was taken up.

Mr. Cunningham offered the following amendment:

By inserting after the word "incumbrance" on the 8th line: Except for wages and salaries due and unpaid and which shall have a prior lien upon all assets of such insolvent and failing corprations, provided paid wages and salaries are not in excess of the usual and custo mary prices paid for corresponding services by solvent corporations,

Which was, on motion of Mr. Pettus, laid on the table,

And and, on motion of Mr. Pettus, the bill was recommitted to the judiciary committee.

The next special order,

The bill,

S. 3. To regulate the trial of misdemeanors in the county of Marshall,

Was taken up.

And on motion of Mr. Brown was made a special order 12 o'clock m, on Thursday, January 21st, 1897.

The bill,

H. 201. To establish a new charter for the city of Huntsville.

Was then taken up.

The question pending was, concurrence in the minority report, submitted by Mr. Hundley, which is as follows:

Mr. President:

The undersigned members of the committee on municipal and county organizations, beg leave to make the following minority report upon house bill No. 201,—"A bill, to be entitled an act to establish a new charter for the city of Huntsville."

We beg leave to report as a substitute for said bill—senate bill No. 15, which was presented by the senator from Madison, and ask that the same be placed upon its

passage. We are constrained to take this course from the fact that in the discussion of the measure before the committee, it appeared without contradiction that the said senate bill No. 15 embraced certain amendments which were adopted at a mass meeting of the citizens of Huntsville after thorough and prolonged discussion, said mass meetings having been held on July 21st and 23rd, 1896, in the city of Huntsville, and being without political significance. At said mass meetings a committee of citizens reported amendments as embraced in said senate bill No. 15. Said report is in words and figures as follows:

To the Chairman of the Mass Meeting:

The committee to which was referred the city charter as presented by Senator Hundley, having had the same under consideration, begs leave to report as follows:

We have carefully read each and every section of the proposed charter. and recommend the adoption of the same with the following amendments, the charter being identical with that preprared by Judge R. W. Walker except as to the amendments named.

No. 1.—Amend section four so as to provide for the election of two aldermen from each ward in the city every two years, four aldermen to be elected in April 1897, and two aldermen from each ward every two years thereafter.

No. 2.—To provide for the election of city clerk, assessor and collector of taxes, by direct vote of the people, the collector to be ex-officio treasurer.

No. 3.—The salary of the mayor not to exceed one hundred dollars per annum, that of the clerk fifty dollars per month, that of assessor two hundred dollars per annum, and that of collector and treasurer three hundred dollars per annum.

No. 4.—The privilege tax recently enacted by the board to be specially repealed and annulled.

No. 5.—Amend section 14 so as to relieve the mayor of criminal jurisdiction, and to provide for appointment by the Board of Mayor and Aldermen or a majority thereof, a recorder who shall be clothed with criminal juris-

diction, and whose term of office shall be two years, and who may be removed at the pleasure of the board, his salary to be fixed at not exceeding four hundred dollars per annum, the city clerk to be ex-officio clerk of the said recorder's court.

No. 6.—Amend section 26 so as to require the board to procure at once an official map of all real property within the city such map to be drawn on a scale sufficiently large as to indicate plainly the holding of each owner. On this map there shall be an official designation by number or letter of the property owned by each person, firm or corporation for the purpose of taxation. It shall be made the duty of the assessor to copy into a suitable book, which shall be furnished by the board, the official designation of every lot or parcel of land as noted on such official map, and opposite such description he shall note the name of each owner. He shall begin May the first of each year to asses both the real and personal property of all persons within the limits of the city, and shall place on such property what may seem to him a just and fair cash valuation. The assessment of property shall begin on the first day of May in each year and be concluded on the first day of July, on which day the said assessor shall deliver his books to the Board of Mayor and Aldermen together with his affidavit as to the correctness of the same, said assessment to be equalized as provided by the charter.

No. 7.—Amend the charter so as to provide for the appointment by the board, of a board of education not to be taken from their own body, consisting of one member from each ward in the city and one from the city at large, who shall have exclusive control of the matter of the city schools, and who shall serve without pay; their term of office being two years.

No. 8.—Amend the charter so as to provide, that it shall be a criminal offense, punishable by fine and imprisonment, one or both, for any State or city police official directly or indirectly to solicit votes in any city election, or to purchase or have in his possession any voter's certificates.

No. 9.—Add to section 30: "It shall be the duty of the city clerk to report at each regular meeting of the

board all claims which have been filed with him against city, whereupon it shall be the duty of the board to pass upon the validity of the same, and if found correct, to have a warrant issued therefor by the clerk upon the city treasury. The amount of such warrants outstanding not to exceed ten thousand dollars in any one year. Each warrant shall state upon what fund it is drawn, and if upon presentation there should be no such funds in the hands of the city treasurer, such fact shall be noted by a stamp upon the back of each warrant, and the said warrant shall thereafter draw interest at the of five per cent. per annum until paid. All warrants so drawn shall be paid in the order of the filling, and shall be receivable for all dues to the city.

No. 10.—The rate of taxation to be fixed at not exceeding one-half of one per cent. per annum for general purposes, and not exceeding one-fourth of one per cent. or such part as may be necessary to be applied exclusively to the payment of bonds and the interest thereon, and such obligations as provided by law.

No. 11.—All purchases or contracts to be made by the board for supplies or material for the use of city, to be made to the lowest responsible bidder after advertisement and on competitive bids except incidental repairs for immediate use. Your committee submits the above, in firm belief that a charter framed on the line above set forth, would bring both peace and prosperity to our city and people. All of which is respectfully submitted.

OSCAR GOLDSMITH,
J. COONS,
J. R. BOYD,
W. S. WELLS,
J. H. LYLE,
R. E. PETTUS,
Committee.

This report of said citizens committee after having been presented at said mass meetings, and discussed, was on the evening of July 23rd, 1896, adopted by unanimous vote as appears from a report of said proceedings in the Huntsville Daily Mercury of Friday, July 24, 1896, and while the proprietor of that paper, Mr. R. L. O'Neill, appeared before the committee in opposition

to said senate bill No. 15, that newspaper in commenting upon the action of the citizens of Huntsville in reference to the measure, stated as follows: "The charter amendments were passed as published, and a resolution prevailed to the effect that our senator and representatives endeavor to get the charter enacted into a law. This charter business was something like a primary, and the people will have to stand by it until its weakness is demonstrated. Those who object had an opportunity to assert their objections, and failing to do so may as well keep quiet."

Thus it appears to the undersigned that the senate bill No. 15 meets with the approval of the people of Huntsville, and we deem it our duty to urge its passage.

Respectfully submitted,

OSCAR R. HUNDLEY.

G. J. HALL.

On motion of Mr. Sowell, the report was laid on the table.

Yeas, 17, nays, 9.

Yeas:

Messrs. President, Bethune, Boykin, Brewer, Brown, Cunningham, Grant, Hawkins, Hogue, Kilpatrick, McElderry, Pettus, Rogers, Smith, Sowell, Thomason, Walker—17.

Nays:

Messrs. Buchanan, Case, Day, Deans of Shelby, Deens of Covington, Hall, Hundley, Nolen, and Robinson—9.

The first amendment reported by the committee, as follows:

On page 6 commencing with the words, "the office of clerk," in line 12, strike out the entire paragraph following, and ending with the words, "which said increase is made."

Was adopted.

The second amendment reported by the committee, as follows:

Amend the bill by reinserting the words "clerk, collector of taxes, assessor" where same have been stricken out in section 10, page 14.

Was adopted.

The third amendment reported by the committee, as

follows:

On page 30, in the first line amend by adding the words "profession, trade or calling" where the same have been stricken out, and by striking out the written words in second line, "but no power herein shall authorize the levy and collection of a privilege tax."

Was adopted.

The 4th amendment reported by the committee as section 34 of the bill,

Was considered.

Mr. Hundley moved to lay the amendment on the table.

And the motion to table was lost.

Yeas, 8, nays, 17.

Yeas:

Messrs. Buchanan, Case, Deans of Shelby, Hall, Hundley, Nolen, Robinson—8.

Nays:

Messrs. President, Bethune, Boykin, Brewer, Brown, Cunningham, Grant, Hawkins, Hogue, Kilpatrick, Moody, Pettus, Rogers, Smith, Sowell, Thomason, Walker—17.

Mr. Hundley requested that he be recorded as voting against the adoption of the 1st, 2nd and 3rd amendments.

Mr. Hundley offered the following amendment:

Amend section 4 of the bill as follows: Strike out on the 4th page of the bill the paragraph beginning with the words "the mayor and aldermen" and ending with the words: "the results thereof," and insert in lieu thereof the following: "The said mayor and aldermen shall appoint three inspectors, two clerks and a returning officer in each ward, all of whom shall be residents of the respective wards for which they are appointed, and who shall severally take and subscribe an oath faithfully and honestly to perform their respective duties to hold and conduct such election and fairly and truthfully to make and certify the returs of the results thereof. Two of said inspectors and the clerks shall be members of opposing political parties, or friends of opposing candidates if possible, and for this purpose all political parties through their agents or committees, or all candidates

shall file with said board of mayor and aldermen not less than thirty days before each election the names of such electors whom they desire to suggest for inspectors and clerks for each ward of the city, and it is hereby made the duty of said board of mayor and aldermen in appointing said inspectors and clerks, to make such appointments from said names of electors filed as herein specified, but should such names not be filed, then and in that event only shall said board use its discretion in making such appointments, but the friends of the opposing political parties or candidates shall even in that event be appointed if possible; and it shall be the duty of said inspectors in appointing assistants or markers for persons unable to prepare their ballots to appoint an equal number of assistants from names suggested or requested by each political party, or each candidate."

On motion of Mr. Pettus, the amendment was laid on the table.

Yeas, 14, nays, 10.

Yeas:

Messrs. President, Bethune, Boykin, Brewer, Cunningham, Grant, Hawkins, Hogue, Kilpatrick, Pettus, Smith, Sowell, Thomason, Walker—14.

Nays:

Messrs. Brown, Case, Day, Deans of Shelby, Hall, Hundley, McElderry, Moody, Nolen, Robinson—10.

Mr. Hundley offered the following amendment:

Amend section 12 of the bill by striking out the following words: "and who does not at the time he offers to vote present and surrender to the inspectors of election his certificate of registration to be by said inspectors cancelled."

Pending its consideration,

On motion of Mr. Hogue, at 2:28 o'clock P. M., the senate

ADJOURNED

until to-morrow morning at 10:30 o'clock.

TWENTY-FIRST DAY.

SENATE CHAMBER,

FRIDAY, December 4, 1896.

The senate met pursuant to adjournment.

Prayer by Rev. Mr. Davis of the city.

Present:

Messrs. President, Abercrombie, Bethune, Boykin, Brewer, Brooks, Brown, Buchanan, Case, Cunningham, Day, Deans of Shelby, Grant, Hall, Hawkins, Hogue, Hollis, Hundley, Kilpatrick, Lee, Matthews, McElderry, Moody, Nolen, Pettus, Robinson, Rogers Smith, Sowell, Thomason, Walker—31.

On motion of Mr. Abercrombie, the reading of the journal of yesterday was dispensed with.

REPORT FROM THE COMMITTEE ON RULES.

Mr. Pettus, from the committee on rules reported favorably,

The senate joint resolution requesting the governor, the public convenience permitting, to assign a room in the capitol to the use of the Sophia Bibb Chapter of the United Daughters of the Confederacy.

The report was concurred in and the resolution was concurred in.

Also, favorably,

The senate joint resolution, raising a joint committee to investigate and report on the two and three per cent fund.

The report was concurred in and the resolution was adopted.

And the president appointed as the committe on the part of the senate, Messrs. Brewer and Bethune.

Mr. Pettus from the same committee reported adversely the house joint resolution,

Providing for a joint committee to be raised to visit the Bryce Insane Hospital at Tuscaloosa during the recess of the geueral assembly.

The report was concurred in.

INTRODUCTION OF BILLS.

On the call of the districts, bills were introduced, read and referred to appropriate committees, as follows:

By Mr. Hawkins—

s. 192. To authorize the city of Eufaula to issue bonds for funding its bonded debt created under an act approved February 6th, 1877, and maturing January 1st, 1899,

Corporations;

By Mr. Brewer—

s. 193. To incorporate the Colonial Investment Company,

Corporations;

By Mr. Moody—

s. 194. To establish the Tuskaloosa county law and equity court,

Judiciary;

By Mr. Abercrombie—

s. 195. To fix the salaries of teachers in the public schools of this State,

Education.

Also,

s. 196. To amend section 978 of the Code,

Education;

Also,

s. 197. To amend section 968 of the Code,

Judiciary;

Also,

s. 198. To regulate the examination and granting of certificates to teachers in this State,

Education;

By Mr. Buchanan—

s. 199. To constitute the city of Luverne, in Crenshaw county, a separate free school district for white children, and to provide for the management of said free school in said school district,

Education;

RESOLUTION.

Mr. Abercrombie offered the following joint resolution,

which was referred to the committee on rules:

Be it resolved by the senate, the house concurring, That a joint committee of two from the senate and three from house, be appointed, with leave to sit during the recess of the general assembly, for the purpose of considering the educational laws and institutions of the State, and to report by bill or otherwise such changes or amendments as they may deem best.

MESSAGE FROM THE HOUSE.

Mr. President:

Tht house has concurred in the senate amendments to the following house bills:

H. 12, To incorporate the town of Hamilton, in the county of Marion, and State of Alabama;

H, 109. To regulate the manner of making contracts by the commissioners court of Cullman county, Alabama, for erecting or repairing public buildings, or bridges in the county;

H. 191. For the better preservation of game in Cullman county, Alabama,

And the house concurred in the senate amendment to,

H. 11. To provide for the registration and lien of judgment for the payment of money in the courts of justice of the peace in Lamar, Calhoun, Monroe, Barbour, Walker, Baldwin, Etowah, Macon, DeKalb, Fayette, Bibb, Sumter, Tallapoosa, Chilton and Madison counties,

And requests a committee of conference therein. Committee on part of house. Messrs. Hibbard, Nesmith, Coleman,

And has passed the following senate bills:

S. 48. To amend an act entitled an act to confer additional jurisdiction upon the county court of Wilcox county and to regulate the proceedings therein," approved February 23, 1881;

S. 85. To authorize the court of county commissioners of Lee county, Alabama, to issue and sell bonds of said county to an amount not exceeding $25,000 for the purpose of building a new court house for said county;

S. 19. To amend an act to bar certain claims of wit-

nesses registered against the fine and forfeiture fund of Bullock county, approved February 28, 1889;

S. 77. To incorporate St. Clair College.

And has originated and passed the following bills:

H. 5. To establsh a separate school district in Etowah county, and to define the boundaries thereof;

H. 50. To establish the Enon school district in Bullock county;

H. 125. To prohibit the manufacture, sale or giving away of spirituous, vinous or malt liquors within five miles of Mount Moriah Baptist church, Bethel Baptist church, Harmony Baptist church, Kyle Springs Methodist church or Mount Ararat Methodist church in Jackson county;

H. 264. To revive and re-enact section 7 of an act entitled an act to provide for an election in the various beats or parts of beats in the county of Clay on the subject of stock running at large, in the beats or parts of beats in said county, approved December 10, 1890;

H. 277. To establish a school district to be known as the Gate City school district of Jefferson county;

H. 303. To provide for the drawing of grand and petit jurors in Greene county;

H. 180. To make an appropriation to cover the deficiency for distributing the acts and journals of the general assembly of 1892–3, Codes and other public documents for the year ending September 30th, 1893, and for the year ending September 30th, 1894, and to pay White, Woodruff & Fowler the balance due to them for stationary furnished by them to the State under a contract to furnish the same.

H. 193. To provide for the election of a county superintendent of education in Clarke county;

H. 227. To establish a separate school district in Lee county known as the Sylvan Grove school district, and fix the boundaries for same;

H. 359. To regulate the sale of spirituous vinous and malt liquors in the town of Tuskegee, Alabama.

H. 331. To repeal an act entitled an act to provide for refunding of taxes improperly paid, approved February 18, 1891;

H. 332. To repeal sections 1, 2, 3 and 4 of an act en-

titled an act to provide for returning and allowing proper credit for taxes wrongfully assessed and collected, approved December 6, 1888.

MASSEY WILSON, Clerk.

HOUSE MESSAGES.

The house bills in the foregoing house message were severally read once and referred to appropriate committees as follows:

H. 5, 50, 277, 193, 227, to education;

H. 125, 359, to temperance;

H. 264, to agriculture;

H. 303, to judiciary;

H. 180, 331, 332, to finance and taxation.

The senate acceded to the request of the house for a committee of conference on the senate amendments to the house bill 11,

As indicated in the foregoing house message,

And the president of the senate appointed as conferees on the part of the senate thereon, Messrs. Matthews, Hawkins and Nolen.

REPORT OF COMMITTEE ON ENROLLED BILLS.

Mr. Matthews, from the committee on enrolled bills, reported the following bills correctly enrolled:

S. 77. To incorporate St. Clair college;

S. 19. To amend an act to bar certain claims of witnesses registered against the fine and forfeiture fund of Bullock county, approved February 28th, 1889;

S. 48. To amend an act entitled an act to confer additional jurisdiction upon the county court of Wilcox county, and to regulate the proceedings therein, approved February 23, 1881;

S. 85. To authorize the court of county commissioners of Lee county, Alabama, to issue and sell bonds of said county to an amount not exceeding $25,000, for the purpose of building a new court house for said county.

W. H. MATTHEWS, Chairman.

MESSAGE FROM THE HOUSE.

Mr. President:

The speaker of the house having signed the following bills, your signature is requested thereto:

H. 218. To provide for the compensation of jurors in the county court of Bibb county;

H. 220. To authorize the solicitor of the ninth judicial circuit to appoint a deputy solicitor for the western division of Blount county;

H. 109. To regulate the manner of making contracts by the commissioners' court of Cullman county, Alabama, for erecting or repairing public buildings or bridges in the county;

H. 132. To amend an act entitled "an act to fix the right of the city of Mobile to certain real estate," approved February 18, 1895;

H. 191. For the better preservation of game in Calhoun county, Alabama;

H. 171. To authorize and empower the mayor and council of the town of Athens to issue and sell bonds of said town to an amount not exceeding fifteen thousand dollars, falling due not more than thirty years from their date, bearing not exceeding six per cent interest, payable semi-annually, for the purpose of establishing and operating a first class system of water works in and for said town and its inhabitants;

H. 372. To amend an act entitled "an act to amend the charter of the city of Uniontown, county of Perry, State of Alabama," approved February 16, 1891.

MASSEY WILSON, Clerk.

SIGNING BILLS.

The president of the senate, in the presence of the senate, immediately after their titles had been publicly read by the secretary, signed the senate bills set out in the foregoing report on enrolled bills, and the house bills the titles of which are set forth in the foregoing house message.

Mr. Pettus, from the judiciary committee, reported adversely the bill,

s. 180. To prohibit the making of any contract for the payment of money in any other currency than the general legal tender of the United States.

The adverse report was concurred in; yeas 21, nays 9.

Yeas:

Messrs. President, Abercrombie, Bethune, Boykin, Brewer, Brown, Cunningham, Grant, Hawkins, Hogue, Hundley, Kilpatrick, Lee, Matthews, McElderry, Moody, Pettus, Rogers, Smith, Thomason, Walker—21.

Nays:

Messrs. Brooks, Buchanan, Case, Day, Deans of Shelby, Hall, Hollis, Nolen, Robinson—9.

Mr. Pettus, from same committee, reported adversely the bill,

H. 304. To declare vacant the office of solicitor for Jefferson county, and to provide for filling the vacancy,

And submitted the following opinion of the Attorney-General of the State on the subject of the bill:

THE STATE OF ALABAMA, EXECUTIVE DEPARTMENT,
OFFICE OF THE ATTORNEY-GENERAL,
MONTGOMERY, ALA., Dec. 2, 1896.

Honorable Joseph F. Johnston,

Governor of Alabama:

DEAR SIR: You asked me to-day to give some investigation to the legal status of the solicitorship of Jefferson county.

I find that at the session of the General Assembly of 1892–1893 the Hon. James H. Little was elected solicitor of Jefferson county for the term of six years. For duties and compensation attached to said office, see Acts 1884–85, page 219, and Acts 1888–89, pages 18 and 992, also Acts 1890–91, pages 1148 and 1149.

The solicitor's reports coming to this department from

the criminal court of Jefferson county have for some months past been signed by Lee C. Bradley, Esq., and the bills of exceptions contained in transcripts from said court also indicate that Mr. Bradley is prosecuting therein as solicitor *pro tempore*.

I am further informed, by general hearsay only, that the said James H. Little has become insane and has, upon an "inquisition of lunacy," been adjudged insane. I am without any documentary evidence to support this assertion and it may be that I am altogether misinformed. However, if it be true that James H. Little has since his election to the office of solicitor become insane and has been so adjudged and declared in strict conformity to the provision of Article II, of Chapter 4, Title 5, of the Code of 1886, page 535, then it is my opinion that the office to which he was elected has been vacated.

For the finding of the inquisition, unimpeached, makes him *prima facie*, insane, and incapable to perform the functions of a public office; and the burden would rest upon any person asserting his capacity.—Miskey's Appeal, 107 Pa. St. 611; *Willis v. Willis*, 12 Pa. St. 159; *Noel v. Kerper*, 53 Pa. St. 97; *Kolhs v. Kolhs*, 61 Pa. St. 245; *Hicks v. Marshall*, 8 Hun. (N. Y.) 327; *Hamilton v. Hamilton*, 10 R. I., 358; *Hart v. Deaner*, 6 Wend. (N. Y.) 497; *Hoyt v. Adee*, 3 Lans. (N. Y.) 173.

The presumption of the law is that insanity one shown continues, "Once insane presumed to be always insane" is found amonng the maxims of the law.—*Leache vs. State*, 22 Texas App. 279; *Smith vs. State*, 22 Texas App. 316; *Physio-medical College v. Wilkinson*, 108 Ind. 314.

Insane persons are ineligible to, and *disqualified from* holding office under the authority of this State. *Section 241 of the Code of 1886, Sub. Div. 3.*

As was said by Lord Kenyon in (*Rex v. Eriswell*, 2 Dursif & E 386) the insane person is to all intents and purposes to be considered "in the same state as if he were *dead*."—*Marler v. State*, 67 Ala. 62.

My conclusion, briefly stated, is that if James H. Little has been adjudged insane, in exact conformity to our statutes, then the office he was enjoying is vacant and has been vacant since the enrollment of the judgment of

insanity upon the inquisition.

The office of solicitor of Jefferson county is not a constitutional one. Being erected by the legislature since the adoption of the constitution, it is the creature of the legislature and entirely subject to the control of the same, and the General Assembly may regulate the manner of filling any vacancy therein.

In the absence of such legislative provision (and I find none upon the statute books) the general statute of the State as set out in section 248 of the Code of 1886 will be applicable. Which section is as follows: "Vacancies in all county offices are filled by appointment of the governor, except as otherwise provided; the appointees must be commissioned, and they shall hold their offices for the unexpired term, and until their successors are elected and qualified."

With great respect,

Yours very truly,

WILLIAM C. FITTS,
Attorney General.

On motion of Mr. Pettus, the adverse report of the committee was concurred in.

REPORTS OF COMMITTEES.

Bills were reported from committees and read a second time as follows:

By Mr. Walker, from corporations, favorably,

s. 189. To incorporate the Capital City Ferry Company;

Also, with amendment,

s. 111. Regulating the payment of the wages of the employees, laborers, and wage earners, engaged in mining and manufacturing in the counties of Jefferson, Walker, Bibb and Blount;

Also, favorably,

H. 78. To confirm the incorporation of the "Jones Valley Club;"

By Mr. Abercrombie, from education, favorably,

s. 178. To appropriate the sum of twenty-two thousand dollars ($22,000) to be used in the additional im-

provement of the Institutions for the Deaf and Blind in this State;

Also,

s. 187. To create the town of Edwardsville, in Cleburne county, a separate school district;

By Mr. Hawkins, from agriculture, favorably, with amendment,

H. 19. To amend section one of an act entitled "an act to protect the fish in Deer River, East Fowl River, West Fowl River, Little River," and the tributaries of those streams in Mobile county, approved February 18, 1894;

By Mr. Kilpatrick, from municipal and county organizations, favorably,

s. 174. To amend the charter of the town of Eutaw, in Greene county, in the State of Alabama, and all acts amendatory thereto;

By Mr. Moody, from temperance, favorably,

H. 478. To prohibit the sale of spirituous, vinous and malt liquors within one mile of the public school house in the village of St. Florian in the county of Lauderdale, Alabama;

Also,

H. 266. To prohibit the sale, giving away, bartering or otherwise disposing of spirituous, vinous or malt liquors, or other intoxicating drinks within an area of six miles of the Ozark city graded school building, in the city of Ozark, Dale county, Alabama;

By Mr. Pettus, from judiciary, favorably,

H. 281. To amend section 2081 of the Code, as to presentation of claims, against the estate of deceased person and when claims are barred;

Also,

H. 145. To authorize the foreman of the grand jury to issue certificates to witnesses examined before the grand jury;

Also,

H. 116. To provide for refilling the jury box of the county of Chambers, Coosa and Macon, and to legalize the same, and provide for drawing the juries for said counties from such legalized box;

Also, with substitute,

s. 65. To enforce proceedings supplementary to an execution against property;

Also,

s. 144. To secure more effectively competent and well qualified jurors in the county of Franklin.

Mr. Sowell, from the committee on engrossed bills, reported the following bill correctly engrossed:

s. 156.

MESSAGE FROM THE HOUSE.

Mr. President:

The house has originated and passed the following bill and same sent forthwith to the house without engrossment:

H. 361. To amend section 3 of "an act to establish five additional branch agricultural experiment stations and agricultural schools to be located in the 1st, 4th, 5th, 6th and 9th congressional districts respectively in the State of Alabama," approved Feb 18th, 1895,

And the house non-concurs in the senate amendments to

H. 4. To make appropriations for the ordinary expenses for the executive, legislative and judicial departments of the State, for interest on the public debt and for public schools,

And asks a committee of conference on the disagreement of the two houses to the senate amendments.

Committee on the part of the house: Messrs. Waller of Hale, Smith of Dallas, and Meador;

And the house has adopted the following joint resolutions and ordered the same to the senate without engrossment:

House joint resolution relative to raising a joint committee to consider the public school system of the State;

House joint resolution relative to raising a joint committee to investigate the management of the university;

House joint resolution relative to proper legislation on the subject of assessment of property for taxation.

MASSEY WILSON,
Clerk.

HOUSE MESSAGES.

The house bills in the foregoing house message were severally read once and referred to the appropriate committees as follows:

H. 361, to agriculture.

H. 4. The senate insisted on its amendment to the house bill 4 (the general appropriation bill) the title of which is set out in the foregoing house message, and to the request of the house for a committee of conference thereon:

And the president of the senate announced as the conferees on the part of the senate.

Messrs. Brewer, Matthews and Walker.

The house joint resolutions, just received, and set out in the foregoing message, were severally referred to the committees on rules

SPECIAL ORDERS AT 12 O'CLOCK M.

The senate proceeded to consider the special orders set for this hour.

The bill,

H. 201. To establish a new charter for the city of Huntsville,

Was taken up,

The question pending being the adoption of the amendment offered by Mr. Hundley on yesterday.

Mr. Hundley moved that the bill be recommitted to the committee on municipal and county organizations, with instructions to report the bill back on Tuesday next; and when reported, said bill to be made a special order for Wednesday after reports of committees.

On motion of Mr. Kilpatrick the motion was laid on the table.

The pending amendment, offered on yesterday by Mr. Hundley, was adopted.

Mr. Sayer (Mr. Cunningham presiding) offered the following amendment:

Insert after the word "thereof" on line 25 of page 4 of the bill the words, "all elections held hereunder shall be held in strict conformity with the general law governing

elections in this State in all respects, including the appointment and qualifications of inspectors, clerks and markers, and the votes shall be cast and counted as provided in the general election law,"

Which was adopted.

Mr. Hundley offered the following amendment:

Amend section 29 so as to read as follows:

Be it further enacted, That all purchases or contracts to be made by the board for supplies or material for the the use of the city must be made from the lowest responsible bidder afer advertising, except incidental repairs for immediate use. It shall be unlawful for any city officer by himself or agent to purchase, deal in or traffic in any manner in any claim, debt, warrant or scrip due from the city, or to have any interest in any contract with the city directly or indirectly, and any city officer found so dealing or having such interest shall be guilty of a misdemeanor and on conviction shall be fined not less than fifty nor more than five hundred dollars, and may be tried therefor before any justice of the peace, but nothing herein contained shall prevent an officer from selling the claims he may acquire directly from the city, or from receiving in good faith any city claims in payment of a debt due to him, or from purchasing in good faith so much of such claims as may be necessary to pay his taxes and licenses for the current year.

Which, on motion of Mr. Sowell, was laid on the table.

Mr. Hundley offered the following amendment:

Amend the bill by adding thereto the following section:

Section —. *Be it further enacted*, That this act shall not become operative until it shall have been submitted for approval to the qualified electors of the city of Huntsville at an election to be held in said city on Wednesday the 23rd day of December, 1896. Said election shall be conducted by the sheriff of Madison county in the same manner as elections are now held for election of representatives in the general assembly, except that said sheriff shall only be required to give five days notice of said election by publication in some newspaper published

in the city of Huntsville, and that the inspectors to hold said election shall be appointed by the probate judge, clerk and sheriff of Madison county or any two of them. And at said election those in favor of the adoption of this act shall vote "For new city charter," and those opposed to the adoption of this act shall vote "Against new city charter." And after said election shall have been held, if it shall appear from the returns thereof that a majority of the qualified electors of the city of Huntsville have voted for "New city charter" this act shall then forthwith become operative, but if it shall appear that a majority of said qualified electors have voted against "New city charter" then this act shall be absolutely void and of no effect.

On motion of Mr. Sowell, the amendment was laid on the table.

Yeas, 19; nays, 11.

Yeas:

Messrs. President, Abercrombie, Bethune, Boykin, Brewer, Brown, Cunningham, Grant, Hawkins, Hogue, Kilpatrick, Lee, Matthews, McElderry, Pettus, Smith, Sowell, Thomason, Walker—19.

Nays;

Messrs. Brooks, Buchanan, Case, Day, Deans of Shelby, Hall, Hollis, Hundley, Moody, Nolen, Robinson—11.

The bill as amended, was read a third time and passed—yeas, 19, nays, 6.

Yeas:

Messrs. President, Abercrombie, Bethune, Brewer, Brown, Buchanan, Case, Grant, Hawkins, Hogue, Kilpatrick, Lee, Matthews, McElderry, Moody, Smith, Sowell, Thomason, Walker—19.

Nays:

Messrs. Day, Hall, Hollis, Hundley, Nolen, Robinson—6.

The next special order,

The bill,

s. 7. To regulate the holding of primary elections for the selection of delegates to political conventions and the nomination of candidates for any office to be filled by election,

Was taken up.

On motion of Mr. Abercrombie the further consideration of the bill was postponed and made a special order at 12 o'clock M. on Monday, December 7th, 1896, and 100 copies of the bill and pending amendment were ordered printed.

The next special order,

The bill,

H. 71. To establish and maintain ferries in Jackson county,

Was read a third time and passed—yeas 26, nays 0.

Yeas:

Messrs. President, Bethune, Boykin, Brewer, Brooks, Brown, Buchanan, Case Day Deens of Covington, Grant, Hall, Hawkins, Hogue, Hollis, Hundley, Kilpatrick, Matthews, McElderry, Moody, Nolen, Robinson, Rogers, Smith, Sowell, Thomason—26.

BILLS ON THIRD READING.

The bill,

s. 171. To further regulate the financial affairs of Dallas county,

Was read a third time and passed—yeas 26, nays 0.

Yeas:

Messrs. President, Abercrombie, Bethune, Boykin, Brewer, Brooks, Brown, Buchanan, Cunningham, Day, Deans of Shelby, Grant, Hawkins, Hogue, Hollis, Hundley, Kilpatrick, Matthews, McElderry, Moody, Nolen, Pettus, Robinson, Sowell, Thomason, Walker —26.

And the bill was ordered to be sent forthwith to the house without engrossment.

The bill,

s. 165. To confer additional powers and rights upon the Montgomery, Hayneville and Camden Railroad Company, formerly the Montgomery, Hayneville and Camden Railroad,

Was read a third time and passed—yeas 25, nays 0.

Yeas:

Messrs. President, Abercrombie, Bethune, Boykin, Brewer, Brown, Buchanan, Case, Cunningham, Day, Deans of Shelby, Grant, Hall, Hawkins, Hogue,

Hundley, Kilpatrick, Matthews, McElderry, Moody, Nolen, Robinson, Rogers, Sowell, Thomason—25.

And the bill was ordered to be sent forthwith to the house without engrossment.

The bill,

H. 246. To establish a new charter for the city of Talladega,

Was taken up.

Mr. McElderry offered the following amendment:

Amend section 8 by adding at the end of said section, as follows: "Provided, the mayor and aldermen of Talladega shall not levy a license tax on any person, firm or corporation in excess of one thousand dollars in any one year. Provided further, that the mayor and aldermen of Talladega, pending the collection of licenses and taxes, may borrow money and execute negotiable notes therefor, but the sum of the loans so negotiated shall not exceed seven thousand dollars at any one time,"

Which was adopted.

The bill, as amended, was read a third time and passed—yeas, 24, nays, 0.

Yeas:

Messrs. President, Bethune, Boykin, Brooks, Brown, Buchanan, Case, Day, Deans of Shelby, Grant, Hall, Hawkins, Hogue, Hollis, Hundley, Kilpatrick, Matthews, McElderry, Moody, Nolen, Robinson, Rogers, Sowell, Thomason—24.

ADJOURNMENT.

At 1:45 P. M., on motion of Mr. Matthews, the senate adjourned until to-morrow morning at 10:30 o'clock.

TWENTY-SECOND DAY.

SENATE CHAMBER.

Saturday December 5th, 1896.

The senate met pursuant to adjournment.

Prayer by Rev. Mr. Dannelly of the city.

Present:

Messrs. President, Abercrombie, Bethune, Boykin, Brown, Buchanan, Case, Cunningham, Day, Deans of Shelby, Grant, Hall, Hawkins, Hogue, Hollis, Hundley, Kilpatrick, Lee, Matthews, McElderry, Moody, Nolen, Pettus, Robinson, Rogers, Smith, Sowell, Thomason, Walker—29.

READING OF JOURNAL.

On motion of Mr. Walker the reading of the journal was dispensed with.

LEAVE OF ABSENCE.

Leave of absence was granted to Mr. Brooks for today.

CALL OF DISTRICTS.

On a call of districts bills were introduced severally read one time and referred to appropriate commitees as follows:

By Mr. Brown—

s. 200. To establish a separate school district, to be known as the "Logan School District," in Cullman county, Ala.

Education;

By Mr. Deans (of Shelby)—

s. 201. To establish a charter for the city of Jemison in Chilton county, Alabama,

Municipal and county organization;

By Mr. Moody—

s. 202. To regulate the payment of losses, total or partial, by persons, firm, associations or corporations doing the business of insuring property in this State,

Commerce and common carriers;

Also,

s. 203. To prohibit the sale of spirituous, vinous, or malt liquors within that part of Tuscaloosa county which lies outside of incorporated towns and cities,

Temperance.

RESOLUTION.

Mr. Sayre, (Mr. Brewer presiding) offered the following resolution:

Resolved by the senate, That all bills requiring engrossment or enrollment shall be delivered by the secretary of the senate to the engrossing and enrolling clerk of the senate for that purpose.

Resolved further, That the engrossing and enrolling clerks of the senate be, and is authorized to employ such clerical assistance as may be necessary to prompt and accurate dispatch of the business of her office.

Resolved further, That any clerical assistants employed by the engrossing and enrolling clerk shall receive compensation as provided by law.

On motion of Mr. Sayre, the resolution was immediately considered and adopted.

REPORTS FROM THE COMMITTEE ON RULES.

The president of the senate, Mr. Brewer presiding, from the committee on rules, reported favorably,

The house joint resolution providing for a joint committee, to set during recess to consider the educational laws and institutions of the State, and to report by bill or otherwise.

The report was concurred in, and the resolution was concurred in,

Also, from same committee, reported favorably,

The house joint resolution providing for a joint committee, to sit during the recess, to consider the assessment of property for taxation, and the revenue laws.

The report was concurred in and the resolution was concurred in.

In pursuance of the foregoing two joint resolutions, the president of the senate announced as the committee on the part of the senate under the resolution on educational laws and institutions, Messrs. Abercrombie and Sowell,

And as the committee on part of the senate under the resolution on taxation and revenue laws, Messrs. Brewer and Hawkins.

MESSAGE FROM THE HOUSE.

Mr. President:

The speaker of the house having signed the following bills your signature is requested thereto:

H. J. R. Looking to the procuring of a reprint of the Alabama Reports, and a sale thereof on account of the State;

H. J. R. To provide for a joint committee to examine the report of the commissioner appointed to revise and codify the statutes of the State.

H. 71. To establish and maintain ferries in Jackson county;

H. 12. To incorporate the town of Hamilton in the county of Marion, State of Alabama.

MASSEY WILSON,
Clerk.

SIGNING OF HOUSE BILLS.

The president of the senate, in the presence of the senate, immediately after their titles had been publicly read, by the secretary, signed the foregoing house bills, and house joint resolutions the titles of which are set out in the foregoing house message.

REPORTS OF COMMITTEES.

Bills were reported from commitees and read a second time as follows:

By Mr. Brewer from finance and taxation favorably,

s. 176. To regulate peddling in Sumter and Pickens counties;

Also,

s. 190. To protect the resident tax payers of Sumter and Pickens counties from unjust competition;

By Mr. Abercrombie from education favorably,

s. 145. To create a separate school district to be known as the Joppa School District in Marshall, Morgan and Cullman counties Alabama;

Also,

s. 179. To establish the Lineville School district in Clay county;

Also, (with amendment),

s. 123. To incorporate the Southern Alabama Baptist Institute, of Thomasville, Clarke county, Alabama;

Also, (with amendment);

s. 138. To amend sections 1, 3, 6, 10 and 13 of an act entitled an act to amend an act entitled an act to incorporate the Alabama Baptist Colored Normal and Theoligical school and all amendments thereto approved February 11th, 1895;

Also, (with amendment),

s. 181. To legalize the holding of the office of county superintendent of education by women in this State;

Also, favorably,

s. 184. To unite all of Fractional township 13, R 5 with all of township 13 R 4 between Oak Tuppah creek in Choctaw county into one township school district;

By Mr. Boykin, from commerce and common carriers, favorably, (with amendment),

s. 87. To ratify and confirm the organization of the Mobile and Birmingham Railroad Company, and to declare the rights, powers, franchises and privileges of said Mobile and Birmingham Railroad Company;

By Mr. Moody, from temperance, favorably,

s. 127. To prohibit the sale, giving away, or otherwise disposing of spirituous, vinous or malt liquors or intoxicating ciders, bitters, or beverages, or fruits preserved in alcoholic liquors, within precinct number eight (8), including the incorporations of the towns of Fitzpatrick and Thompson, in Bullock county, Alabama.

Also,

H. 125. To prohibit the manufacture, sale or giving away of spirituous, vinous or malt liquors within five miles of Mount Moriah Baptist church, Bethel Baptist church, Harmony Baptist church, Kyle Springs Methodist church and Mount Ararat Methodist church in Jackson county;

By Mr. Walker, from corporations, favorably—

s. 192. To authorize the city of Eufaula to issue bonds for funding its bonded debt created under an act approved February 6th, 1877, and maturing January 1st,

1899;

By Mr. Boykin, from commerce and common carriers, favorably, (with amendment),

s. 132. To require passenger trains to be stopped at Bangor, in Blount county, to receive and discharge passengers;

By Mr. Brewer, from finance and taxation favorably, with substitute—

H. 72. To require licenses for operating flying jenneys, or other devices of similar kind for profit;

By Mr. Boykin, from commerce and common carriers favorably, with substitute—

s. 152. To require passenger trains on railways in this State, to stop at the station nearest the court house town of every county in this State, and to prescribe who shall establish such stations and to fix penalties for the violation of such requirement;

By Mr. Pettus, from judiciary, favorably—

s. 194. To establish the Tuscaloosa county law and equity court;

Also,

s. 188. To declare the powers and jurisdiction of the city court of Anniston of Calhoun county, Alabama;

Also,

H. 190. To repeal an act entitled an act to amend section 5025 of the Code (of 1876) so far as the same applies to Blount county, approved February 23d, 1883, and also to re-enact section 3675 of the Code of Alabama, as to the county of Blount;

Also,

H. 184. To regulate the trials of misdemeanors in Shelby county, Alabama;

Also,

H. 303, To provide for the drawing of grand and petit jurors in Greene county.

REPORT FROM A SELECT COMMITTEE.

Mr. Bethune from a select committee appointed to investigate the condition of the two and three per cent. fund, submitted the following report:

Mr. President:

Your committee beg leave to make the following report, on condition of the account of the two and three per cent. fund.

1895		Two and three per cent.			
March 13.	Cash, W. C. Oates.....	$ 377 78			
Dec. 10.	" "	239 55			
	Total receipts.....			$ 617	33
March 26.	Paid Ala. Grand Trunk R. R. Co.....	188 89			
Oct. 28.	" "	119 77			
	Total disbursements....			308	66
	Balance on hand.....			308	67

This balance is held to pay the appropriation to the Myrtlewood and Demopolis R. R. Co., $500.00; Act 1894–95, p. 1005. This shows that according to appropriations under said act the sum of $191.33 will be still due each of said companies, after paying the present balance in the treasury to the said Myrtlewood and Demopolis R. R. Co.

And having performed our duty we respectfully ask to be discharged.

WILLIS BREWER,
D. S. BETHUNE,
Committee.

On motion of Mr. Brewer, the report was ordered to lie on the table.

MESSAGE FROM THE HOUSE.

Mr. President:

The house has originated and passed the following bills:

H. 96, To prevent persons from hunting with dog or gun, or with bird nets upon the land of another in the county of St. Clair, without first obtaining permission and consent from the owner or agent of the land in cases where the same has been or is posted at three conspicuous places thereon;

H. 165. To set apart and exempt a school site in section 16, township 5, range 7 east in Jackson county;

H. 238. To establish Big Spring school district in

Madison county;

H. 276. To establish Huffman school district in Jefferson county, Alabama;

H. 532. To relieve Kitty Seay May, of Hale county, of the disabilities of non-age;

H. 88. To confirm the incorporation and organization of the McGill institute in the city of Mobile, and to define, declare and enlarge the power of said corporation.

H. 197. To create a separate school district out of the territory within two miles of the court house in the city of Ozark in the county of Dale;

H. 268. To prevent the destruction of fish in the Coosa river in Etowah county, by poison, dynamite, or other explosive materials, and to prevent the catching of fish for sale in said river of Etowah county;

H. 269. To create township 19, range 5, Hale county, Alabama, a separate school district, to incorporate the same, and define its powers and duties, and to provide for the maintenance and management of the public schools of said district;

H. 18. To amend section 1 of an act to provide for a county solicitor for Mobile county, approved February 8, 1879.

MASSEY WILSON,
Clerk.

HOUSE MESSAGES.

The house bills in the foregoing house message were severally read once and referred to appropriate committees as follows:

H. 197, 269, 165, 238, 276, 88, to education;

H. 268, 96, to local legislation;

H. 18, 532, to judiciary.

The senate next considered

BILLS ON THIRD READING.

The bill,

H. 351. To prohibit the manufacture, sale, giving

away, or otherwise disposing of any distilled, vinous, malt or alcoholic liquors of any kind within five miles of the Elba high school in the town of Elba, Coffee county, Alabama,

Was read a third time and passed.—yeas 25, nays 0.

Yeas:

Messrs. President, Abercrombie, Bethune, Boykin, Brewer, Brown, Buchanan, Case, Cunningham, Day, Deans of Shelby, Grant, Hawkins, Hogue, Hollis, Hundley, Kilpatrick, Mattthews, McElderry, Moody, Nolen, Robinson, Smith, Sowell, Thomason—25.

The bill,

s. 175. To preserve the fields and forests of Sumter county against fires,

Was read a third time and passed—yeas 25, nays 0.

Yeas:

Messrs. President, Abercrombie, Bethune, Boykin, Brewer, Brown, Buchanan, Case, Cunningham, Day, Deans of Shelby, Grant, Hall, Hawkins, Hogue, Hollis, Kilpatrick, Matthews, McElderry, Moody, Nolen, Robinson, Rogers, Sowell, Thomason—25.

The bill,

s. 157. To incorporate the board of trustees of the Birmingham district of the North Alabama Conference of the Methodist Episcopal Church South, and to define its object, purpose, powers and authority,

Was read a third time and passsed.—yeas 24, nays 0.

Yeas:

Messrs. President, Abercrombie, Bethune, Brewer, Brown, Buchanan, Case, Cunningham, Day, Deans of Shelby, Hawkins, Hogue, Hollis, Hundley, Kilpatrick, Matthews, McElderry, Moody, Nolen, Robinson, Rogers, Sowell, Thomason, Walker—24.

The bill,

H. 240. To change the name of State "Normal and Industrial School" to "The Argricultural and Mechanical College for negroes, at Normal, Madison County, Alabama, and authorize the same to confer degrees,

Was taken up.

The amendment reported by the committee, as a substitute for section 2 of the bill, was adopted.

And the bill, as amended,

Was read a third time and passed—yeas 23, nays 0.

Yeas:

Messrs. President, Abercrombie, Bethune, Boykin, Brewer, Case, Day, Deans of Shelby, Grant, Hall, Hawkins, Hollis, Hundley, Kilpatrick, Matthews, McElderry, Moody, Nolen, Robinson, Rogers, Sowell, Thomason, Walker—23.

The bill,

H. 126. To establish a uniform series of standard school books to be used in the public schools of Jackson county,

Was read a third time and passed—yeas 23, nays 0.

Yeas:

Messrs. President, Abercrombie, Boykin, Brewer, Brown, Buchanan, Case, Cunningham, Day, Deans of Shelby, Grant, Hall, Hawkins, Hollis, Kilpatrick, Matthews, McElderry, Moody, Nolen, Robinson, Sowell, Thomason, Walker—23.

The bill,

H. 122. To establish a board of education to select a uniform series of text books for the counties of Etowah and Cherokee and to regulate the duties of said board,

Was read a third time and passed—yeas 18, nays 0.

Yeas:

Messrs. President, Bethune, Boykin, Brewer, Brown, Buchanan, Case, Deans of Shelby, Grant, Hawkins, Hollis, Kilpatrick, Matthews, McElderry, Nolen, Robinson, Thomason, Walker—18.

The bill,

H. 204. To prohibit the sale, giving away or otherwise disposing of any spirituous, vinous or malt liquors within five miles of the Saginaw M. E. Church, Shelby county, Alabama,

Was taken up.

The amendment reported by the committee, as follows:

Amend 3d and 4th line of section one by striking out "passage of this act" and insert the words "first January, 1897."

Was adopted.

And the bill, as amended,

Was read a third time and passed—yeas 20, nays 0.

Yeas:

Messrs. President, Abercrombie, Bethune, Boykin, Brewer, Brown, Buchanan, Case, Day, Hall, Hawkins, Hogue, Hollis. Kilpatrick, Moody, Robinson, Smith, Sowell, Thomason, Walker—20.

The bill,

s. 155. To repeal section 499 of the Code of 1876 and an act amendatory of said act approved Dec. 8, 1888, together with all other amendments of said sec. 499,

Was read a third time and passed—yeas 20, nays 0.

Yeas:

Messrs. President, Bethune, Boykin, Brewer, Brown, Case, Day, Grant, Hall, Hogue, Hollis, Kilpatrick, McElderry, Moody, Pettus, Robinson, Smith, Sowell, Thomason, Walker—20.

The bill,

H. 8. To repeal an act entitled an act to levy and collect a tax on dogs in Fayette county, approved Feb. 21st, 1893,

Was read a third time and passed—yeas 18, nays 1.

Yeas:

Messrs. President, Abercrombie, Bethune, Brewer, Brown, Day, Grant, Hall, Hogue, Kilpatrick, McElderry, Moody, Pettus, Robinson, Smith, Sowell, Thomason, Walker—18.

Mr. Hollis voted nay—1.

The bill,

s. 166. To amend section 2707 of the Code of 1886,

Was read a third time and passed—yeas 19, nays 0.

Yeas:

Messrs. President, Brewer, Brown, Buchanan, Case, Cunningham, Day, Grant, Hall, Hogue, Kilpatrick, McElderry, Moody, Pettus, Robinson, Smith, Sowell, Thomason, Walker—19.

The bill,

H. 270. To fix the time of holding the circuit court in the counties of Geneva and Henry, in the twelfth judicial circuit,

Was read a third time and passed; yeas 19, nays 0.

Yeas:

Messrs. President, Brown, Buchanan, Case, Cunningham, Deans of Shelby, Grant, Hall, Hogue, Hollis, Kilpatrick, McElderry, Moody, Pettus, Robinson, Smith,

Sowell, Thomason, Walker—19.

The bill,

H. 178. To legalize the jury box of Monroe county and to provide for drawing legal jurors therefrom,

Was read a third time and passed; yeas 22, nays 0.

Yeas:

Messrs. President, Brown, Buchanan, Case, Cunningham, Day, Grant, Hall, Hawkins, Hogue, Hollis, Kilpatrick, McElderry, Moody, Nolen, Pettus, Robinson, Rogers, Smith, Sowell, Thomason, Walker—22.

The bill,

H. 256. To amend section 4243 of the Code of Alabama, providing for trials on appeals from judgments of justices of the peace,

Was read a third time and passed; yeas 18, nays 0.

Yeas:

Messrs. Bethune, Boykin, Buchanan, Case, Cunningham, Day, Grant, Hall, Hawkins, Hogue, Kilpatrick, McElderry, Moody, Robinson, Smith, Sowell, Thomason, Walker—18.

The bill,

S. 189. To incorporate the Capital City Ferry Company,

Was read a third time and passed; yeas 18, nays 0.

Yeas:

Messrs. Abercrombie, Bethune, Brewer, Brown, Cunningham, Deans of Shelby, Grant, Hall, Hawkins, Hogue, Hollis, Kilpatrick, McElderry, Moody, Nolen, Robinson, Sowell, Thomason—18,

And it was ordered to be sent to the house forthwith, without engrossment.

The bill,

S. 111. Regulating the payment of the wages of employes, laborers, and wage earners, engaged in mining and manufacturing in the counties of Jefferson, Walker, Bibb and Blount,

Was taken up.

On motion of Mr. Cunningham, the further consideration of the bill was postponed, and made the special order for 12 o'clock M. on Thursday, January 21st, 1897,

And on his motion 100 copies of the bill and pending amendment were ordered printed.

The bill,

H. 78. To confirm the incorporation of the "Jones Valley Club,"

Was read a third time and passed; yeas 15, nays 6.

Yeas:

Messrs. Abercrombie, Bethune, Brewer, Buchanan, Case, Cunningham, Day, Grant, Hall, Hawkins, Hollis, Kilpatrick, Matthews, Nolen, Sowell—15.

Nays:

Messrs. Brown, Deans of Shelby, Hogue, McElderry, Moody, Robinson—6.

The bill,

s. 178. To appropriate the sum of twenty-two thousand dollars ($22,000) to be used in the additional improvement of the institutions for the deaf and blind in this State,

Was read a third time and passed; yeas 18, nays 1.

Yeas:

Messrs. Abercrombie, Bethune, Boykin, Buchanan, Cunningham, Day, Hall, Hawkins, Hogue, Hollis, Kilpatrick, Matthews, McElderry, Moody, Robinson, Smith, Sowell, Walker—18.

Mr. Deans of Shelby voted no.

And, on motion of Mr. McElderry, the bill was ordered to be sent forthwith to the house, without engrossment,

The bill,

s. 187. To create the town of Edwardsville in Cleburne county a separate school district,

Was read a third time and passed; yeas 20, nays 0.

Yeas:

Messrs. Abercrombie, Bethune, Brown, Buchanan, Cunningham, Day, Deans of Shelby, Hawkins, Hollis, Hundley, Kilpatrick, Matthews, McElderry, Moody, Nolen, Robinson, Smith, Sowell, Thomason, Walker—20.

And, on motion of Mr. Abercrombie, the bill was ordered to be sent to the house forthwith, without engrossment.

The bill,

H. 19. To amend section one of an act entitled "an act to protect the fish in Deer River, East Fowl River, West Fowl River, Little River," and the tributaries of

those streams in Mobile county, approved February 18, 1894,

Was taken up.

The amendment reported by the committee, to-wit:

To strike out "1894" in the caption and body of the bill and insert in lieu thereof "1895,"

Was adopted, and the bill, as amended,

Was read a third time and passed; yeas 19, nays 0.

Yeas:

Messrs. Bethune, Brown, Buchanan, Cunningham, Deans of Shelby, Grant, Hall, Hawkins, Hogue, Hollis, Hundley, Matthews, Moody, Nolen, Robinson, Smith, Sowell, Thomason, Walker—19.

The bill,

s. 174. To amend the charter of the town of Eutaw, in Greene county, in the State of Alabama, and all acts amendatory thereto,

Was read a third time and passed—yeas 19, nays 0.

Yeas:

Messrs. Bethune, Brown, Buchanan, Cunningham, Day, Deans of Shelby, Grant, Hall, Hawkins, Hogue, Hollis, Hundley, Kilpatrick, Matthews, Nolen, Robinson, Smith, Thomason, Walker—19.

And it was ordered to be sent forthwith to the house without engrossment.

The bill,

H. 478. To prohibit the sale of spiritous, vinous and malt liquors within one mile of the public school house in the village of St. Florian in the county of Lauderdale, Alabama,

Was read a third time and passed—yeas 19, nays 0.

Yeas:

Messrs. Bethune, Buchanan, Case, Cunningham, Deans of Shelby, Grant, Hall, Hawkins, Hogue, Hollis, Hundley, Kilpatrick, Matthews, McElderry, Moody, Nolen, Robinson, Sowell, Thomason—19.

The bill.

H. 266. To prohibit the sale, giving away, bartering or otherwise disposing of spirituous, vinous or malt liquors, or other intoxicating drinks within an area of six miles of the Ozark city graded school building, in the city of Ozark, Dale county, Alabama,

Was read a third time and passed—yeas 20, nays 0.

Yeas:

Messrs. Bethune, Brown, Buchanan, Case, Cunningham, Deans of Shelby, Grant, Hall, Hawkins, Hogue, Hollis, Hundley, Kilpatrick, Matthews, McElderry, Nolen, Robinson, Sowell, Thomason, Walker—20.

The bill,

H. 145. To authorize the foreman of the grand jury to issue certificates to witnesses examined before the grand jury,

Was read a third time and passed—yeas 19, nays 0.

Yeas:

Messrs. Bethune, Brown, Buchanan, Case, Cunningham, Deans of Shelby, Grant, Hall, Hawkins, Hogue, Hollis, Kilpatrick, Matthews, McElderry, Moody, Nolen, Robinson, Sowell, Thomason—19.

The bill,

H. 116. To provide for refilling the jury boxes of the counties of Chambers, Coosa, and Macon, and to legalize the same, and to provide for drawing the juries for said counties from such legalized boxes,

Was read a third time and passed—yeas 19, nays 0.

Yeas:

Messrs. Bethune, Brewer, Brown, Buchanan, Case, Grant, Hawkins, Hogue, Hollis, Kilpatrick, Matthews, McElderry, Moody, Nolen, Robinson, Smith, Sowell, Thomason, Walker—19.

The bill,

S. 65. To enforce proceedings supplementary to an execution against property,

Was taken up.

The pending substitute reported by the committe was adopted.

And the bill, as amended, was read a third time and passed—yeas 18, nays 2.

Yeas:

Messrs. Bethune, Brown, Buchanan, Case, Cunningham, Grant, Hall, Hawkins, Hogue, Hundley, Kilpatrick, Matthews, McElderry, Moody, Nolen, Sowell, Thomason, Walker—18.

Nays:

Messrs. Hollis and Robinson.

NOTICE OF MOTION TO RECONSIDER VOTE.

Mr Matthews gave notice that he would, on Monday, move to reconsider the vote by which the senate to-day passed

The bill,

s. 178. To appropriate the sum of twenty-two thousand dollars ($22,000.00), to be used in the additional improvement of the institutions for the deaf and blind in this State.

MESSAGE FROM THE HOUSE.

Mr. President:

The house has originated and passed, and ordered to the senate without engrossment,

H. 380. To regulate the fine and forfeiture fund of Elmore county, and to better provide for the payment of claims registered against said fund by appropriating from the general fund to the fine and forfeiture fund money to pay registered claims against said fine and forfeiture fund and to provide for the payment of fines assessed or forfeitures rendered by a competent court in fine and forfeiture script of said county.

MASSEY WILSON,
Clerk.

HOUSE MESSAGE.

The house bill, just received, to-wit: H. 380, as set forth in the foregoing house message, was read the first time, and referred to the committee on local legislation.

ADJOURNMENT.

At 1:20 o'clock, P. M. on motion of Mr. Brewer, the senate adjourned until Monday morning at 10:30 o'clock.

TWENTY-THIRD DAY,

SENATE CHAMBER,

MONDAY, December 7th, 1896.

The senate met pursuant to adjournment.

Prayer by Rev. Mr. Ott.

Present:

Messrs. President, Abercrombie, Bethune, Boykin, Brewer, Brooks, Brown, Buchanan, Case, Cunningham, Day, Deans of Shelby, Deens of Covington, Grant, Hall, Hawkins, Hogue, Hollis, Hundley, Kilpatrick, Lee, Matthews, McElderry, Moody, Nolen, Pettus, Robinson, Rogers, Smith, Sowell, Thomason, Walker—31.

On motion of Mr. Cunningham the reading of the journal was dispensed with.

CALL OF DISTRICTS.

On the call of the districts, bills were introduced, severally read one time and referred to appropriate committees, as follows:

By Mr. Hogue—

s. 204. To regulate the pay for feeding prisoners in jail,

Finance and taxation;

By Mr. Smith—

s. 205. To authorize the appointment of certain corporations to act in any representative capacity whatever,

Judiciary;

By Mr. Sowell—

s. 206. To create sections one (1), twelve (12), and thirteen (13) of township one (1), range four (4) west, and sections 5, 6, 7, 8, 17 and 18, T. 1, range 3 west in Limestone county, a separate school district to be known as Mount Pleasant'' district,

Education;

By Mr. Hall—

s. 207. To prohibit the State of Alabama from entering into contracts for the payment of money in gold alone,

Finance and taxation;

By Mr. Robinson—

s. 208. To require fire insurance companies doing business in this State to pay the full amount of policies in certain cases,

Commerce and common carriers.

RESOLUTIONS.

Mr. Hawkins offered the following joint resolution:

Resolved by the senate, the house concurring, That one of the clerks heretofore assigned to the recess committee on the code, is hereby taken from said committee whenever the recess committee on revision of revenue laws shall be in session and shall be subject to the directions of said last named committee.

Which was referred to the committee on rules.

Mr. Brewer offered the following resolution, by request:

Resolved, that 1,000 copies of the governor's inaugural address be printed for the use of the senate.

Which was, also, referred to the committee on rules.

REPORTS OF COMMITTEES.

Bills were reported from committees and read a second time as follows:

By Mr. Cunningham, from penitentiary, favorable, with amendment—

s. 104. To regulate management and work of convicts in the State of Alabama. Providing for the more humane treatment of the convicts. The maintenance of the revenue derived from convict labor and the more equitable distribution of the competition of convict with free labor;

By Mr. Hogue, from local legislation, favorably, with amendment—

H. 239. To amend an act entitle an act to define and prescribe a lawful fence in certain portions of the county of Madison, approved February 28, 1889, as amended by section one of an act approved February 21st, 1893, and

as amended by section one of an act approved January 29, 1895;

By Mr. Abercrombie, from education, favorably—

s. 200. To establish a separate school district to be known as the Logan school district, in Cullman county, Alabama;

Also,

H. 276. To establish Huffman school district in Jefferson county, Alabama;

Also,

H. 269. To create township nineteen, range five, Hale county, Alabama, a separate school district. To incorporate the same and define its powers and duties and to provide for the maintenance and management of the public schools of said district;

Also,

H. 238. To establish Big Spring school district in Madison county;

Also,

H. 197. To create a separate school district out of the territory within two miles of the court house in the city of Ozark, in the county of Dale;

Also,

H. 165. To set apart and exempt a school site in section 16, township 5, range 7, east, in Jackson county;

By Mr. Kilpatrick, from municipal and county organizations, favorably—

s. 182. To amend sections twelve, fifteen and sixteen of an act approved on the 26th day of January, 1891, entitled an act to establish a charter for the town of Woodlawn, in Jefferson county, Alabama;

Also,

s. 183. To extend the corporate limits of the town of Woodlawn. Extend the police jurisdiction of the corporate authorities of said town and to further define the duties of the mayor and aldermen of said town as to the school fund;

By Mr. Abercrombie, from education, favorably—

H. 277. To establish a school district to be known as the Gate City school district of Jefferson county;

Also,

H. 227. To establish a separate school district in

Dale county, known as the Sylvan Grove school district and fix the boundaries for same;

Also,

H. 193. To provide for the election of a county superintendent of education in Clarke county;

Also,

H. 50. To establish the Enon school district in Bullock county;

Also,

H. 5. To establish a separate school district in Etowah county and to define the boundaries thereof;

By Mr. Hogue, from local legislation, favorably,

H. 380. To regulate the fine and forfeiture fund of Elmore county and to better provide for the payment of claims registered against said fund by appropriating from the general fund to the fine and forfeiture fund money to pay registered claims against said fine and forfeiture fund aud to provide for the payment of fines assessed as forfeitures rendered by a competent court in fine and forfeiture script of said county;

By Mr. Walker, from corporations, favorably, with amendment—

H. 195. To incorporate the city of Fruithurst;

By Mr. Brewer, from finance and taxation, adversely—

S. 153. To fix the compensation of the governor of the State of Alabama, secretary of State, State auditor, State treasurer, attorney-general, superintendent of education, chief-justice and associate justices of the supreme court, chancellors, circuit court judges, circuit court solicitors;

By Mr. Pettus, from judiciary, favorably—

H. 449. To amend section 2 of an act to create the 11th judicial circuit of the State of Alabama, to fix the time of holding court therein, to provide for the appointment of a judge for said circuit, and the election of a solicitor for said circuit, approved Dec. 7th, 1894;

Mr. Sowell from the committee on engrossed bills, reported the following bills correctly engrossed—

S. 66, 157, 155, 166 and 175;

REPORT FROM THE COMMITTEE ON RULES.

The president of the senate, Mr. Cunningham presid-

ing, from the committe on rules, reported favorably, with an amendment,

The house joint resolution to raise a joint committee to visit the State University during the recess of the General Assembly, and in investigate and report on the condition and management of said institution,

Which amendment is as follows:

"But this commitee shall be without expense to the State."

The amendment was adopted, the the report of the committee was concurred in, and the resolution as amended was concurred in.

REPORTS FROM A COMMITTEE OF CONFRENCE.

Mr. Moody from a conference committee, submitted the following report:

Mr. Preisdent:

The committee of conference appointed to consider the disagreement of the two houses upon the senate amendment to the house bill 213, beg leave to report as follows:

That the senate amendment to said bill be rescinded and withdrawn,

That section 2 of said bill be amended by adding after the words "travelling salesman from wholesale" the word "or retail,"

That the caption and body of said bill be amended by striking out the works "Clarke" "Jefferson" and "Tuscaloosa" where they appear in said caption and body of said bill.

Committee on part of senate:
FRANK S. MOODY, Chairmen,
BEN. M. SOWELL,
D. W. DAY.

Committee on part of house:
O. KYLE, Chairman,
T. A. LONG,
W. W. BRANDON.

Tbe report of the committee was concurred in—yeas 20, nays 0.

Yeas:

Messrs. Abercrombie, Boykin, Brewer, Brooks, Case, Cunningham, Deans of Shelby, Deens of Covington, Grant, Hawkins, Hogue, Hollis, Hundley, Matthews, McElderry, Moody, Nolen, Robinson, Sowell, Thomason—20.

MESSAGE FROM THE HOUSE.

Mr. President:

The house has concurred in the senate amendment to

H. 246. To establish a new charter for the city of Talledaga,

And the house has concurred in the senate amendment to

H. 201. To establish a new charter for the city of Huntsville,

And the house concurred in the senate amendment to

H. 19. To amend section one of an act to protect the fish in Deer river, East Fowl river, West Fowl river, and the tributaries of these streams in Mobile county, approved February 18th, 1884,

And the house has passed the following senate bills:

S. 33. To amend an act to allow county commissioners in each county to appropriate a sufficient sum to pay armory rent for military companies located in their respective counties, approved February 18th, 1895;

S. 41. To authorize the levy and collection of a lot upon property within the city of Birmingham, Alabama, or that may be lawfully taxable therein, for the maintenance of the public schools of said city,

And the house has concurred in the report of the conference committee on

H. 11. To provide for the registration and lien of judgments for the payment of money in the courts of justice of the peace in Lamar, Calhoun, Monroe, Barbour, Walker, Etowah, Macon, DeKalb, Fayett, Bibb, Sumter, Tallapoosa, Chilton and Madison counties,

And the house has adopted the following joint reso-

lutions and ordered the same sent forthwith to the senate without engrossment:

Joint resolution relative to raising a joint committee of three to visit the State Normal College at Florence, Alabama, and State Normal School for girls at Livingston, Ala.

Joint resolution and memorial to the congress of the United States relative to the bill introduced in the 53rd congress,

H. R. 8925. By Mr. Wheeler of Alabama.

MASSEY WILSON,
Clerk.

HOUSE MESSAGES.

The two house joint resolutions set forth in the foregoing house message were severally read and referred to the committee on rules.

REPORT FROM CONFERENCE COMMITTEE.

Mr. Matthews from a committee of conference submitted the following report:

Mr. President:

The conferrence committee on the part of the house and senate and house bill No 11, report back to the senate that they concur in a favorable report of the bill, with that part of the amendments senate thereto, striking out from the provisions of the bill the counties of DeKalb, Baldwin and Bibb.

B. L. HIBBARD,
WALTER NESMITH,
T. W. COLEMAN.
On part of house.
W. H. MATTHEWS,
HIRAM HAWKINS,
R. S. NOLEN,
On part of the senate.

The report of the conference committee was concurred in.—yeas 22, nays 1.

Yeas:

Messrs. President, Abercrombie, Bethune, Brooks

Brown, Case, Cunningham, Day, Deans of Shelby, Deens of Covington, Grant, Hall, Hawkins, Hogue, Kilpatrick, Lee, Matthews, Moody, Nolen, Pettus, Thomason, Walker,—22.

Mr. Buchanan, voted nay—1.

REPORT ENROLLED BILLS.

Mr. Matthews, from the committee on enrolled bills, reported the following bills correctly enrolled:

s. 33. To amend an act to allow county commissioners in each county to appropriate a sufficient sum to pay armory rent for military companies, located in their respective counties, approved February 18th, 1895;

s. 41. To authorize the levy and collection of a tax upon property within the city of Birmingham, Alabama, or that may be lawfully taxable therein, for the maintenance of the public schools of said city.

SIGNING OF SENATE BILLS.

The president of the senate, in the presence of the senate, immediately after their titles had been publicly read by the secretary, signed the foregoing senate bills.

MESSAGE FROM THE GOVERNOR.

STATE OF ALABAMA, EXECUTIVE DEPARTMENT,
OFFICE OF THE GOVERNOR,
MONTGOMERY, December 7th, 1896.

Mr. President:

I am directed by the governor to inform the senate that he has approved senate bills numbered 85, 77 and 19.

Very respectfully,

R. G. BANKS,
Recording Secretary.

MOTION TO RECONSIDER VOTE.

Mr. Matthews moved to reconsider the vote by which

the senate passed the bill,

s. 178. To appropriate the sum of twenty-two thousand dollars ($22,000) to be used in the additional improvement of the Institutions for the Deaf and Blind in this State,

On yesterday.

On motion of Mr. Hogue, the motion to reconsider was laid on the table.

Yeas 18, nays 11.

Yeas:

Messrs. Abercrombie, Bethune, Boykin, Brooks, Buchanan, Case, Cunningham, Day, Deans of Shelby, Grant, Hogue, Hollis, McElderry, Moody; Robinson, Rogers, Smith, Walker—18.

Nays:

Messrs. President, Brewer, Brown, Deens of Covington, Hall, Kilpatrick, Lee, Matthews, Nolen, Pettus, Thomason—11.

MOTION ON RECESS FOR TO-DAY.

Mr. Brewer moved that the senate adjourn at 1:30 o'clock p. m., and re-convene at 4 o'clock p. m. to-day.

Carried.

REPORT FROM THE COMMITTEE ON RULES.

Mr. Kilpatrick, from the committee on rules, reported favorably with an amendment the house joint resolution,

Raising a joint committee to visit, during the recess, the State Normal Schools at Florence and Livingston, which amendment is as follows:

"But this committee shall be without expense to the State."

The amendment was adopted, and the resolution was concurred in.

Also, from same committee, reported favorably the house memorial to Congress in regard to the State Normal School at Florence.

Which was concurred in.

SPECIAL ORDERS AT 12 O'CLOCK M.

The senate proceeded to consider the special orders set for this hour.

The bill,

s. 148. To authorize and require an election to be held in this State concerning the regulation of the sale, giving away or delivery of spiritous, vinous and malt liquors in this State, and to declare the effect of such election,

Was taken up.

On motion of Mr. Moody, the further consideration of the bill was postponed and made the special order at 12 o'clock m. on January 21st, 1897.

The next special order, the bill

s. 7. To regulate the holding of primary election for the selection of delegates to political conventions and the nomination of candidates for any office to be filled by election,

Was taken up.

On motion of Mr. Abercrombie, the further consideration of the bill was postponed and made the special order for 12 o'clock m. on January 23d, 1897.

MESSAGE FROM THE HOUSE.

Mr. President:

The speaker having signed the following bills, your signature is requested to the same.

H. 8. To repeal an act entitled an act to levy and collect a tax on dogs in Fayette county, approved Feb. 21st, 1893;

H. 19. To amend section one of an act entitled "an act to protect the fish in Deer River, East Fowl River, West Fowl River, Little River," and the tributaries of those streams in Mobile county, approved February 18, 1895;

H. 116. To provide for refilling the jury boxes of the counties of Chambers, Coosa and Macon, and to legalize the same, and provide for drawing the juries for said counties from such legalized boxes;

H. 122. To establish a board of education to select a uniform series of text books for the counties of Etowah and Cherokee and to regulate the duties of said board;

H. 126. To establish a uniform series of standard school books to be used in the public schools of Jackson county;

H. 145. To authorize the foreman of the grand jury to issue certificates to witnesses examined before the grand jury;

H. 178. To legalize the jury box of Monroe county and to provide for drawing legal jurors therefrom;

H. 256. To amend section 4243 of the Code of Alabama, providing for trials on appeals from judgments of justices of the peace;

H. 266. To prohibit the sale, giving away, bartering or otherwise disposing of spirituous, vinous or malt liquors or other intoxicating drinks within an area of six miles of the Ozark city graded school building, in the city of Ozark, Dale county, Alabama;

H. 270. To fix the time of holding the circuit court in the counties of Geneva and Henry in the twelfth judicial circuit;

H. 351. To prohibit the manufacture, sale, giving away or otherwise disposing of any distilled, vinous, malt or alcoholic liquors of any kind within five miles of the Elba High School in the town of Elba, Coffee county, Alabama;

H. 478. To prohibit the sale of spirituous, vinous and malt liquors within one mile of the public school house in the village of St. Florian, in the county of Lauderdale, Alabama;

H. 78. To confirm the incorporation of the "Jones Valley Club."

MASSEY WILSON,
Clerk.

SIGNING OF HOUSE BILLS.

The president of the senate in the presence of the senate, immediately after their titles had been publicly read by the secretary, signed the bills, the titles of which are set out in the foregoing house message.

MESSAGE FROM THE HOUSE.

Mr. President:

The house has amended as therein shown, and as amended, has passed the following bill:

s. 53. To amend section 1385 of the code of 1876 as amended by an act of the general assembly of Alabama approved December 12, 1882, entitled "an act to amend section 1385, 1388, 1393, 1395, 1396, 1399 of the code of Alabama, containing regulations of pilots and pilotage in the bar and harbor of Mobile," and further to amend section 1386 of the code of Alabama of 1876 as amended by an act of the general assembly of Alabama approved February 9th, 1895, and entitled "an act to amend section 1386 of the code of Alabama of 1876 relating to certificates of appointment and oaths of pilots,

And has adopted a joint resolution herewith sent, requesting the governor to return to the house

The bill,

H. 187, for amendment.

MASSEY WILSON,
Clerk.

HOUSE MESSAGES.

The senate concurred in the house joint resolution, requesting the governor to return to the house bill H. 187 for amendment.

The senate concurred in the house amendments to the senate bill s. 53, the title of which is set out in the foregoing house message—yeas 23, nays 0.

Yeas:

Messrs. Abercrombie, Bethune, Boykin Brown, Buchanan, Case Cunningham, Day, Deans of Shelby, Deens of Covington, Hawkins, Hogue, Hollis, Kilpatrick, Lee, Matthews, Moody, Pettus, Robinson, Rogers Smith, Sowell, Thomason—23.

BILLS ON THIRD READING.

The bill,

s. 188. To declare the powers and jurisdiction of the city court of Anniston, of Calhoun county, Alabama,

Was read a third time and passed—yeas 22, nays 0.

Yeas:

Messrs President, Abercrombie, Boykin, Brewer, Brooks, Buchanan, Case, Cunningham, Deans of Shelby, Deens of Covington, Grant, Hall, Hawkins, Hogue, Hollis, Kilpatrick, Lee, Matthews, Nolen, Pettus, Robinson, Walker—22.

And it was ordered to be sent forthwith to the house without engrossment,

The bill,

H. 184. To regulate the trials of misdemeanors in Shelby county, Alabama,

Was read a third time and passed—yeas 21, nays 0.

Yeas:

Messrs. Bethune, Boykin, Brooks, Buchanan, Case, Cunningham, Day, Deans of Shelby, Deens of Covington, Grant, Hall, Hawkins, Hollis, Hundley, Lee, Matthews, McElderry, Moody, Nolen, Robinson, Walker—21.

The bill,

s. 192. To authorize the city of Eufaula to issue bonds for funding its bonded debt created under an act approved February 6th, 1877, and maturing January 1st, 1899,

Was read a third time and passed—yeas 21, nays 0.

Yeas:

Messrs. Brown, Buchanan, Case, Cunningham, Day, Deans of Shelby, Deens of Covington, Grant, Hall, Hawkins, Hollis, Hundley, Lee, Matthews, McElderry, Moody, Nolen, Robinson, Smith, Thomason, Walker—21,

And the bill was ordered to be sent forthwith to the house without engrossment.

The bill,

s. 194. To establish the Tuscaloosa county law and equity court,

Was taken up.

Mr. Moody offered the following amendment:

Amend by adding at the end of section 27 the following words: *Provided*, the salary of said judge, until the

first Monday in August, 1898, shall be at the rate of sixteen hundred dollars per annum,

Which was adopted,

And the bill, as amended,

Was read a third time and passed—yeas 23, nays 0.

Yeas:

Messrs. President, Abercrombie, Bethune, Brooks, Brown, Buchanan, Case, Cunningham, Day, Deens of Covington, Grant, Hall, Hawkins, Hogue, Kilpatrick, Lee, Matthews, Moody, Nolen, Robinson, Smith, Sowell, Thomason—23,

And it was ordered to be sent forthwith to the house without engrossment.

The bill,

H. 222. To make the clerk of the circuit court of Butler county ex-officio hard labor agent for said county,

Was read a third time and passed—yeas 23, nays 0.

Yeas:

Messrs. Bethune, Brooks, Brown, Buchanan, Case, Cunningham, Day, Deans of Shelby, Deens of Covington, Hawkins, Hogue, Hollis, Kilpatrick Lee, Matthews, McElderry, Nolen, Pettus, Robinson, Smith, Sowell, Thomason, Walker—23.

The bill,

S. 176. To regulate peddling in Sumter and Pickens counties,

Was read a third time and passed—yeas 19, nays 0.

Yeas:

Messrs. Bethune, Brewer, Brooks, Brown, Buchanan, Cunningham, Grant, Hall Hawkins, Hogue, Hollis, Kilpatrick, Lee, Matthews, Nolen, Robinson, Smith, Sowell, Walker—19.

The bill,

S. 190. To protect the resident tax payers of Sumter and Pickens counties from unjust competition,

Was read a third time and passed—yeas 20, nays 0.

Yeas:

Messrs. President, Bethune, Brewer, Brown, Buchanan, Deens of Covington, Grant, Hall, Hawkins, Hogue, Kilpatrick, Lee, Matthews, Pettus, Robinson, Rogers, Smith, Sowell, Thomason, Walker—20.

The bill,

s. 145. To create a separate school district to be known as the Joppa school district in Marshall, Morgan and Cullman counties, Alabama,

Was read a third time and passed—yeas 21, nays 0.

Yeas:

Messrs. Bethune, Brooks, Brown, Buchanan, Case, Cunningham, Deens of Covington, Grant, Hall Hawkins, Hogue, Hollis, Kilpatrick, Lee, Matthews, McElderry, Nolen, Robinson, Smith, Thomason, Walker —21.

ADJOURNMENT.

In pursuance of the resolution of the senate to-day, at 1:30 o'clock p. m. the senate adjourned until 4 o'clock this affernoon.

AFTERNOON SESSION.

DECEMBER 7th, 1896.

The senate re-assembled at 4 o'clock p. m.

There was a quorum present.

The senate proceeded to consider,

BILLS ON THIRD READING.

The bill,

s. 179. To establish the Lineville school district in Clay county,

Was read a third time and passed—yeas 18, nays 0.

Yeas:

Messrs. President, Bethune, Boykin, Brewer, Brooks, Brown, Case, Cunningham, Day, Deans of Shelby, Grant, Hawkins, Hogue, Hollis, Lee, Matthews, Nolen, Robinson—18.

The bill,

s. 123. To incorporate the South Alabama Baptist

Institute of Thomasville, Clarke county, Alabama,

Was taken up.

The amendment striking out section 7 of the bill, as reported by the committee,

Was adopted,

And the bill as amended, was read a third time and passed—yeas 19, nays 0.

Yeas:

Messrs. President, Boykin, Brewer, Brooks, Brown, Case, Cunningham, Day, Grant, Hawkins, Hogue, Hollis, Lee, Matthews, Moody, Nolen, Robinson, Thomason—18.

The bill,

s. 138. To amend sections 1, 3, 6, 10 and 13 of an act entitled an act to amend an act entitled an act to incorporate the Alabama Baptist colored normal and theological school and all amendments thereto approved February 11th, 1895,

Was taken up,

And the amendment reported by the committtee was adopted.

The bill as amended, was read a third time and passed—yeas 18, nays 0.

Yeas:

Messrs. President, Boykin, Brewer, Brooks, Brown, Cunningham, Deens of Covington, Grant, Hawkins, Hollis, Lee, Matthews, Moody, Nolen, Pettus, Robinson, Smith, Thomason—18.

The bill,

s. 181. To legalize the holding of the office of county superintendent of education by women in this State,

Was taken up,

The amendment reported by the committee was considered.

Mr. Deans of Shelby, moved to add Shelby to the amendment.

Mr. Case moved to add DeKalb to amendment,

Mr. Brooks moved to add Geneva to the amendment,

Mr. Robinson moved to add St. Clair to the amendment.

The amendments to the amendment were adopted.

The amendment was adopted, the bill as amended

was read the third time.

On motion of Mr. Hollis, the further consideration of the bill was postponed and made the special order at 12 o'clock M. on January 22nd, 1897.

The bill,

S. 152. To require passenger trains on railways in this State, to stop at the station nearest the court house town of every county in this State, and to prescribe who shall establish such stations and to fix penalties for the violation of such requirement,

Was taken up.

The pending substitute, reported by the committee was considered.

Pending its consideration.

MESSAGE FROM THE HOUSE.

Mr. President:

The house has originated and passed the following bills and ordered the same sent forthwith to the senate without engrossment:

H. 280. To amend an act entitled an act to establish a new charter for Phoenix City in Lee county, Alabama, approved December 10th, 1894;

H. 395. To amend section 1 of an act entitled an act to amend an act entitled an act to incorporate the town of Moulton in Lawrence county, Alabama, approved February 18, 1845;

H. 462. To better define the boundaries of the city of Jasper, Walker county, Alabama;

H. 389. To authorize the owners of the lands formerly belonging to the East Birmingham Land Company to vacate and close up certain streets and avenues appearing upon the map of said lands;

H. 107. For the relief of J. C. Lawrence of Perry county;

H. 383. To prohibit the sale, giving away or otherwise disposing of spirituous, vinous or malt liquors, or other intoxicating drinks within five miles of Smith's Chapel, Methodist Church and Phillippi Church at Mountainboro;

H. 56. To authorize Phoebe Trull, Hinchey Trull and Willie Trull, minor heirs of Jackson J. Trull, deceased,

under the age of 18 years, to convey certain lands herein described in Clarke county, Alabama;

H. 57. To authorize Percy Wiggins, Daisy Wiggins, Emma Wiggins and Reuben Wiggins, minor heirs of Stephen L. Wiggins deceased, to convey certain lands herein described in Clarke county, Alabama;

H. 418. To incorporate the Life and Accident Association of Birmingham, Alabama;

H. 385. To authorize the construction of tramways, pole roads, canals and ditches and for the establishment of dirt roads by corporations, associations, partnerships and individuals in the counties of Coffee, Dale and Geneva;

H. 196. To amend section 1 of an act entitled an act to prohibit the sale, giving away, delivering, transferring, parting with, procuring or other dispositions of spirituous, vinous or malt liquors or any intoxicating bitters within five miles of Andalusia high school, Baptist and Methodist churches, approved February 16, 1895;

H. 297. To fix the time for pleading in the circuit court of Bibb county;

H. 466. To amend an act entitled an act "to regulate the issue of garnishments and the proceedings thereon in the county of Morgan, approved February 1st, 1895, so that it will read as follows;

H. 219. To provide for the registration of all claims against the fine and forfeiture fund of Bibb county.

MASSEY WILSON,
Clerk.

HOUSE MESSAGES.

The house bills in the foregoing house message were severally read once and referred to appropriate committees, as follows:

H. 280, 395, 462, to municipal and county organizations;

H. 389, 418, to corporations;

H. 107, 297, 466, to judiciary;

H. 383, 196, to temperance;

H. 56, 57, 219, to local legislation;

H. 385, to commerce and common carriers.

ADJOURNMENT.

At 5:30 o'clock P. M. on motion of Mr. Robinson, the senate adjourned.

TWENTY-FOURTH DAY,

SENATN CHAMBER,

TULSDAY, December 8th, 1896.

The senate met pursuant to adjournment.
Prayer by the Rev. Mr. Gabriel of the city.
Present:

Messrs. President, Abercrombie, Bethune, Boykin, Brewer, Brooks, Brown, Buchanan, Case, Cunningham, Day, Deans of Shelby, Deens of Covington, Grant, Hall, Hawkins, Hogue, Hollis, Hundley, Kilpatrick, Lee, Matthews, McElderry, Moody, Nolen, Pettus, Robinson, Rogers, Smith, Sowell, Thomason, Walker—32.

INTRODUCTION OF BILLS.

On the call of the districts, bills were introducued, read and referred to appropriate committees, as follows:

By Mr. Walker (by request)—

s. 209. To repeal all laws and parts of laws prohibiting the sale, giving away or otherwise disposing of vinous, spirituous or malt liquors, or intoxicating bitters or beverages in Guntersville beat in Marshall county, Alabama, and to regulate the sale thereof in said beat,

Temperance;

By Mr. Boykin—

s. 210. To prescribe the duties and qualifications of attorneys and counsellors at law and regulate their admission to practice in the courts of the State,

Judiciary;

By Mr. Sowell—

s. 211. To confirm the incorporation and organiza-

tion of the Merchants Bank of Florence, Alabama, and to enlarge and increase the powers of said corporation,

Corporations;

By Mr. Brooks (by request)—

s. 212. To incorporate the town of Enterprise in Coffee county,

Municipal and county organization.

MESSAGE FROM THE GOVERNOR.

STATE OF ALABAMA, EXECUTIVE DEPARTMENT,
OFFICE OF THE GOVERNOR,
MONTGOMERY, December 8th, 1896.

Mr. President:

I am directed by the Governor to inform the senate that he has approved senate bill number 33.

Respectfully,
R. G. BANKS,
Recording Secretary.

REPORT OF COMMITTEE ON PRIVILEGES AND ELECTIONS.

Mr. McElderry, from the committee on privileges and elections, submitted the following report by way of a resolution:

Resolved by the senate, that in the matter of the contest pending before the senate from the 25th senatorial district, wherein Chas. R. Bricken is contestant and Geo. N. Buchanan is contestee:

1st. That Geo. N. Buchanan, is entitled to a seat on the floor of the senate.

2nd. That Chas. R. Bricken is not entitled to a seat on the floor of the senate.

H. L. MCELDERRY,
Chairman.

The report of the committee was concurred in and the resolution was adopted.

REPORTS OF COMMITTEES.

Bills were reported from committees and read a second

time as follows :

By Mr. Pettus, from judiciary, favorably, with amendment,

S. 129. For the release of Jesse Sloan, J. T. Miller, James B. Marsh, Reuben C. Davis, C. C. Davis, W. E. Quin, E. S. Killian and B. H. Nicholson, from the payment of the official bond of S. D. Monroe, ex-county treasurer of DeKalb county, Alabama ;

Also, favorably,

H. 217. To regulate the fees of the clerk of county court of Bibb county ;

Also,

H. 271. To make the wife a competent witness for or against her husbands in any prosecution against him for abandoning his family and leaving them in danger of becoming a burden to the public ;

Also,

H. 532. To relieve Kittie Seay May, of Hale county, of the disabilities of non-age ;

By Mr. Walker, from corporation, favorably,

H. 389. To authorize the owners of the lands formerly belonging to the East Birmingham Land Company to vacate and close up certain streets and avenues appearing upon the map of said lands :

Also,

H. 418. To incorporate the Life and Accident Association of Birmingham, Alabama ;

By Mr. Abercrombie, from education, favorably with amendment,

H. 88. To confirm the incorporation and organization of the McGill Institute in the city of Mobile and to define, declare and enlarge the powers of said corporation ;

By Mr. Moody, from temperance, favorably,

H. 196. To amend section 1 of an act entitled "an act to prohibit the sale, giving away, delivering, transferring, parting with, procuring, or other disposition of spirituous, vinous or malt liquors, or any intoxicating bitters, within five miles of Andalusia High School, Baptist and Methodist churches," approved February 16, 1895 ;

Also,

S. 203. To prohibit the sale of spirituous, vinous or

malt liquors within that part of Tuskaloosa county which lies outside of incorporated towns and cities;

By Mr. Brewer, from finance and taxation, favorably, with substitute,

S. 149. To amend seetion 1319 of the Code;

By Mr. Hogue, from local legislation, favorably,

H. 56. To authorize Phœbe Trull, Hinchey Trull and Willie Trull, minor heirs of Jackson J. Trull, deceased, under the age of 18 years, to convey certain lands herein described, in Clarke county, Alabama;

Also,

H. 57. To authorize Percy Wiggins, Daisy Wiggins, Emma Wiggins and Reuben Wiggins, minor heirs of Stephen L. Wiggins, deceased, to convey certain lands herein described, in Clarke county, Alabama;

By Mr. Bethune, from judiciary, favorably,

H. 466. To amend an act entitled an act "To regulate the issue of garnishments and the proceedings thereon in the county of Morgan," approved February 1st, 1895, so that it will read as follows:

Also,

H. 147. To amend an aet entitled an act to repeal sections 3286–3287 and 3288 of the Code of 1876," approved February 17th, 1885;

By Mr. Brewer, from finance and taxation, favorably,

H. 180. To make an appropriation to cover the deficiency "for distributing the Acts and Journals of the General Assembly of 1892–3, Codes and other public documents for the year ending September 30th, 1893, and for the year ending September 30th, 1894, and to pay White, Woodruff & Fowler the balance due to them for stationery furnished by them to the State under a contract to furnish the same;

By Mr. Moody, from temperance, favorably,

H. 359. To regulate the sale of spirituous, vinous and malt liquors in the town of Tuskegee, Alabama;

By Mr. Pettus, from judiciary, favorably, with amendment,

H. 128. To fix the eompensation of not more than two regular bailiffs of the criminal court of Jefferson county, and to provide for its payment;

By Mr. Kilpatrick, from munieipal and county organ-

izations, favorably, with substitute,

H. 280. To amend an act entitled an act to establish a new charter for Phœnix City, in Lee county, Alabama, approved December 10th, 1894;

Also, favorably,

H. 462. To better define the boundaries of the city of Jasper, Walker county, Alabama;

Also, favorably,

S. 201. To establish a charter for the city of Jemison, in Chilton county, Alabama;

By Mr. McElderry, from privileges and elections, favorably,

H. 67. To provide for the election of four county commissioners in Fayette county, and to prescribe the manner of electing same;

Also,

H. 158. To regulate and prescribe the manner of electing county commissioners of Dale county;

By Mr. Abercrombie, from education, favorably,

H. 296. To create a separate school district in Barbour county known as the Afton school district;

Also,

S. 206. To create sections one (1), twelve (12) and thirteen (13) of towship one (1), range (4) west and sections 5, 6, 7, 8, 17 and 18, township 1, range 3 west in Limestone county, a separate school district to be known as "Mount Pleasant" district;

By Mr. Boykin, from commerce and common carriers, favorably, with amendment,

H. 385. To authorize the construction of tram-ways, pole-roads, canals and ditches and for the establishment of dirt roads by corporations, associations, partnerships and individuals in the counties of Coffee and Geneva;

By Mr. Pettus, from judiciary, adversely,

H. 18. To amend section 1 of an act to provide for a county solicitor for Mobile county, approved February the 8th, 1879.

Mr. Sowell, from the committee on engrossed bills, reported the following bill correctly engrossed:

S. 179. To establish the Lineville school district in Clay county.

H. 4. To make appropriations for the ordinary expenses of the State, for interest on the public debt and for public schools.

MASSEY WILSON, Clerk.

REPORT OF CONFERENCE COMMITTEE.

Mr. Walker, from a committee of conference, submitted the following report:

Mr. President:

The conference committee on house bill number 4, recommend as follows:

1st. That the house concur in senate amendment to subdivision sixteen of section one;

2nd. That the house concur in senate amendment to subdivision forty-one of section one;

3rd. That subdivision eighteen of section one be so amended as to read as follows:

18. For compensation of marshal of supreme court and librarian, fifteen hundred dollars for each year; in all three thousand dollars, and for his assistant six hundred dollars for each year; in all twelve hundred dollars additional.

C. E. WALLER,
A. A. WILEY,
D. J. MEADOR,
Managers on part of the house.
MIMS WALKER,
W. H. MATTHEWS,
Managers on part of the senate.

The report of the committee was concurred in; yeas 21, nays 0.

Yeas:

Messrs. Brown, Buchanan, Case, Cunningham, Day, Deans of Shelby, Deens of Covington, Grant, Hawkins, Hogue, Hundley, Kilpatrick, McElderry, Moody, Nolen, Pettus, Robinson, Smith, Sowell, Thomason, Walker—21.

REPORT FROM THE COMMITTEE ON RULES.

The president of the senate, Mr. Pettus, presiding, reported favorably the following resolution:

H. 4. To make appropriations for the ordinary expenses of the State, for interest on the public debt and for public schools.

MASSEY WILSON, Clerk.

REPORT OF CONFERENCE COMMITTEE.

Mr. Walker, from a committee of conference, submitted the following report:

Mr. President:

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3rd. That subdivision eighteen of section one be so amended as to read as follows:

18. For compensation of marshal of supreme court and librarian, fifteen hundred dollars for each year; in all three thousand dollars, and for his assistant six hundred dollars for each year; in all twelve hundred dollars additional.

C. E. WALLER,
A. A. WILEY,
D. J. MEADOR,
Managers on part of the house.
MIMS WALKER,
W. H. MATTHEWS,
Managers on part of the senate.

The report of the committee was concurred in; yeas 21, nays 0.

Yeas:

Messrs. Brown, Buchanan, Case, Cunningham, Day, Deans of Shelby, Deens of Covington, Grant, Hawkins, Hogue, Hundley, Kilpatrick, McElderry, Moody, Nolen, Pettus, Robinson, Smith, Sowell, Thomason, Walker—21.

REPORT FROM THE COMMITTEE ON RULES.

The president of the senate, Mr. Pettus, presiding, reported favorably the following resolution:

Resolved, That one thousand copies of the governor's inaugural address be printed for the use of the senate.

The report was concurred in and the resolution was adopted;

Also, from same committee, reported favorably the following senate joint resolution:

Resolved by the senate, the house concurring, That one of the clerks heretofore assigned to the recess committee on the code, is hereby taken from said committee whenever the recess committee on revision of revenue laws shall be in session, and shall be subject to the directions of said last named committee.

The report was concurred in and the resolution adopted.

RESOLUTION.

Mr. McElderry offered the following resolution:

Resolved, That the senate consider only house bills now on the calendar, until they are all disposed of.

Adopted.

SPECIAL ORDERS SET DOWN.

On motion of Mr. Abercrombie, the bill,

H. 269. To create township nineteen, range five, Hale county, Alabama, a separate school district; to incorparate the same and define its powers and duties, and to provide for the maintenance and management of the public schools of said district,

Was set down for a special order at 12 o'clock M. on Monday, January 25th, 1897.

On motion of Mr. Abercrombie, the bill,

S. 8. To establish a uniform series of text books for the public schools of the State, and to prescribe the mode of selecting the same,

Was made a special order at 12 o'clock M. on Monday, January 25th, 1897.

On motion of Mr. Cunningham, the bill,

S. 104. To regulate management and work of convicts in the State of Alabama, providing for the more humane treatment of the convicts, the maintenance of the revenue derived from convict labor and the more

equitable distribution of the competition of convict, with free labor,

Was made the continuing special order for 12 o'clock M. on Friday, January 22nd, 1897.

APPOINTMENT OF SELECT COMMITTEES.

The president announced as the part of the senate, of the joint committee, to examine the report of the code commissioner and to sit during recess for that purpose:

Messrs. Pettus, McElderry and Smith.

He also announced as the committee on the part of the senate, of the joint committee, to visit, during the recess, the State University and make examination of of the management of the same, and report to the general assembly:

Messrs. Rogers and Kilpatrick.

He also announced, as the committee on the part of senate, of the joint committee, to visit and examine, during the recess, the State normal schools at Florence and Livingston, and report to the general assembly:

Messrs. Abercrombie and Matthews.

BILLS ON THIRD READING.

The bill,

S. 152. To require passenger trains on railways in this State to stop at the station nearest the court house town of every county in this State, and to prescribe who shall establish such stations and to fix penalties for the violation of such requirement,

Was taken up,

The substitute reported by the committee was adopted,

And the bill as amended

Was read a third time and passed—yeas 20, nays 0.

Yeas:

Messrs. President, Abercrombie, Bethune, Boykin, Brewer, Brown, Case Cunningham, Day, Deens of Covington, Grant, Hawkins, Hogue Lee, Matthews, McElderry, Nolen, Pettus, Robinson, Smith, Sowell—20.

The bill,

H. 125. To prohibit the manufacture, sale or giving away of spirituous, vinous or malt liquors within five

miles of Mount Moriah Baptist church, Bethel Baptist church, Harmony Baptist church, Kyle Springs Methodist church or Mount Ararat Methodist church in Jackson county,

Was read a third time and passed—yeas 21, nays 0.

Yeas:

Messrs Bethune, Boykin, Brooks, Brown, Buchanan, Case, Day, Deans of Shelby, Deens of Covington, Grant, Hawkins, Hogue, Hollis, Hundley, Lee, Matthews, Nolen, Pettus, Smith, Sowell, Walker—21.

The bill,

H. 72. To require licenses for operating flying jennys, or other devices of similar kind for profit,

Was taken up,

The substitute reported by the committee was adopted,

The bill, as amended,

Was read a third time and passed—yeas 22, nays 0.

Yeas:

Messrs Brewer, Brooks, Brown, Buchanan, Day, Deans of Shelby, Deens of Covington, Grant, Hall, Hawkins, Hogue, Hollis, Hundley, Matthews, McElderry, Nolen, Pettus, Robinson, Smith, Sowell, Thomason, Walker—22.

The bill,

H. 190. To repeal an act entitled an act to amend section 5025 of the code (of 1876) so far as the same applies to Blount county, approved February 23d, 1883, and also to re-enact section 3675 of the code of Alabama, as to the county of Blount,

Was read a third time and passed—yeas 22, nays 0.

Yeas:

Messrs President, Bethune, Boykin, Brooks, Brown, Buchanan Cunningham, Deans of Shelby, Deens of Covington, Grant, Hawkins, Hogue, Hollis, Kilpatrick, Matthews, Moody, Nolen, Pettus, Smith, Sowell, Thomason, Walker—22.

The bill,

H. 303. To provide for the drawing of grand and petit jurors in Greene county,

Was read a third time and passed—yeas 20, nays 0.

Yeas:

Messrs Abercrombie, Bethune, Brown, Buchanan, Cas, Cunningham, Deans of Shelby, Deens of Covington, Grant, Hall, Hawkins, Hollis, Kilpatrick, Matthews, McElderry, Moody, Nolen, Pettus, Sowell, Thomason—20.

The bill,

H. 239. To amend an act entitled an act to define and prescribe a lawful fence in certain portions of the county of Madison, approved Feb 28, 1889, as amended by section one of an act approved February 21st, 1893, and as amended by section one of an act approved January 29, 1895,

Was taken up,

The amendment reported by the committee was adopted,

The bill, as amended,

Was read a third time and passed—yeas 19, nays 0.

Yeas:

Messrs. Abercrombie, Brooks, Buchanan, Case, Cunningham, Day, Deans of Shelby, Deens of Covington, Grant, Hogue, Hollis, Kilpatrick, Matthews, Moody, Nolen, Pettus, Robinson, Smith, Thomason—19.

The bill,

H. 276. To establish Huffman school district in Jefferson county, Alabama,

Was read a third time and passed—yeas 20, nays 0.

Yeas:

Messrs. President, Bethune, Brewer, Brooks, Brown, Buchanan, Case, Cunningham, Deans of Shelby, Deens of Covington, Grant, Hogue, Hollis, Kilpatrick, Matthews, Nolen, Pettus, Robinson, Smith, Thomason—20.

The bill,

H. 238. To establish Big Spring school district in Madison county,

Was read a third time and passed—yeas 18, nays 0.

Yeas:

Messrs. Bethune, Brewer, Brown, Buchanan, Case, Cunningham, Deans of Shelby, Deens of Covington, Grant, Hogue, Hundley, Lee, Matthews, Nolen, Pettus, Robinson, Smith, Thomason—18.

The bill,

H. 197. To create a separate school district out of

the territory within two miles of the court house in the city of Ozark, in the county of Dale,

Was read a third time and passed—yeas 19, nays 0.

Yeas:

Messrs. President, Brown, Buchanan, Cunningham, Deans of Shelby, Deens of Covington, Grant, Hall, Hawkins, Hogue, Hollis, Hundley, Kilpatrick, Matthews, Moody, Nolen, Robinson, Smith, Thomason—19.

The bill,

H. 165. To set apart and exempt a school site in section 16, township 5, range 7 east, in Jackson county,

Was read a third time and passed—yeas 19, Nays 0.

Yeas:

Messrs. President, Brooks, Brown, Buchanan, Cunningham, Deans of Shelby, Grant, Hawkins, Hogue, Hollis, Hundley, Kilpatrick, Matthews, Moody, Nolen, Robinson, Smith, Sowell, Walker—19.

The bill,

H. 277. To establish a school district to be known as the Gate City school district of Jefferson county,

Was read a third time and passed—yeas 18, nays 0.

Yeas:

Messrs. President, Brooks, Buchanan, Cunningham, Day, Deans of Shelby, Hall, Hawkins, Hogue, Hollis, Papatrick, Matthews, Moody, Nolen, Robinson, Smith, Sowell Walker—18.

The bill,

H. 227. To establish a separate school district in Dale county, known as the Sylvan Grove school district and fix the boundaries for same,

Was read a third time and passed—yeas 23, nays 0.

Yeas:

Messrs. President, Abercrombie, Bethune, Brooks, Brown, Buchanan, Cunningham, Day, Deans of Shelby, Grant, Hall, Hogue, Hollis, Hundley, Kilpatrick, Lee, Matthews, Nolen, Robinson, Smith, Sowell, Thomason, Walker—23.

The bill,

H. 193. To provide for the election of a county superintendent of education in Clarke county,

Was read a third time and passed—yeas 21, nays 0.

Yeas:

Messrs. President, Abercrombie, Bethune, Brooks' Brown, Buchanan, Case, Cunningham, Day, Deans of Shelby, Grant, Hogue, Hollis, Kilpatrick, Lee, Matthews, Nolen, Robinson, Smith, Thomason, Walker—21.

The bill,

H. 50. To establish the Enon school district in Bullock county,

Was read a third time and passed—yeas 21, nays 0.

Yeas:

Messrs. President, Abercrombie, Bethune, Boykin, Brooks, Brown, Case, Cunningham, Day, Deans of Shelby, Grant, Hogue, Hollis, Kilpatrick, Matthews, Nolen, Robinson, Smith, Sowell, Thomason, Walker —21.

The bill,

H. 5. To establish a separate school district in Etowah county and to define the boundaries thereof,

Was read a third time and passed—yeas 23, nays 0.

Yeas:

Messrs. President, Abercrombie, Brooks, Brown, Buchanan, Case, Cunningham, Day, Deans of Shelby, Deens of Covington, Grant, Hawkins, Hundley, Kilpatrick, Lee, Matthews, McElderry, Nolen, Robinson, Smith, Sowell, Thomason, Walker—23.

The bill,

H. 195. To incorporate the city of Fruithurst,

Was taken up.

The amendment reported by the committee was adopted,

The bill as amended, was read a third time and passed —yeas 20, nays 0.

Yeas:

Messrs. Abercrombie, Bethune, Brooks, Buchanan, Case, Cunningham, Day, Deans of Shelby, Deens of Covington, Grant, Hawkins, Kilpatrick, Lee, Matthews, Nolen, Robinson, Smith, Sowell, Thomason, Walker— 20.

The bill,

H. 449. To amend section 2 of an act to create the 11th judicial circuit of the State of Alabama to fix the time of holding court therein, to provide for the appointment of a judge for said circuit, and the election of a

solicitor for said circuit appointed Dec. 7th 1894,

Was read a third time and passed—yeas 19, nays 0.

Yeas:

Messrs. Abercrombie, Bethune, Brewer, Brown, Buchanan, Case, Cunningham, Deans of Shelby, Deens of Covington, Grant, Hawkins, Kilpatrick, Matthews, Nolen, Robinson, Smith, Sowell, Thomason, Walker—19.

The bill,

s. 87. To ratify and confirm the organization of the Mobile and Birmingham railroad company, and to declare the rights, powers, franchises and privileges of said Mobile and Birmingham railroad company,

Was taken up.

The amendment reported by the committee was adopted.

The bill as amended, was read a third time and passed—yeas 20, nays 0.

Yeas:

Messrs. President, Bethune, Brewer, Buchanan, Cunningham, Day, Grant, Hall, Hawkins, Hogue, Hollis, Hundley, Kilpatrick, Lee, Matthews, Pettus, Smith, Sowell, Thomason, Walker—20.

The bill,

s. 127. To prohibit the sale, giving away, or otherwise disposing of spirituous, vinous or malt liquors, or intoxicating ciders, bitters, or beverages, or fruits preserved in alcoholic liquors, within precinct number eight (8), including the incorporations of the towns of Fitzpatrick and Thompson, in Bullock county, Alabama,

Was read a third time and passed—yeas 19, nays 0.

Yeas:

Messrs. President, Bethune, Brewer, Brown, Buchanan, Case, Cunningham, Day, Deens of Covington, Grant, Hollis, Hundley Kilpatrick, Lee, Matthews, Nolen, Sowell, Thomason, Walker—19.

The bill,

s. 132. To require passenger trains to be stopped at Bangor, in Blount county, to receive and discharge passengers,

Was taken up.

The amendment reported by the committee was adopted.

The bill was ordered to the third reading and read the third time.

Mr. Hundley moved to reconsider the vote by which the bill was ordered to the third reading.

On motion of Mr. Brown the motion was laid on the table.

Yeas, 25, nays, 5.

Yeas:

Messrs. President, Abercrombie, Bethune, Brewer, Brooks, Brown, Buchanan, Case, Cunningham, Deans of Shelby, Grant, Hall Hawkins, Hogue, Hollis, Kilpatrick, Lee, Matthews, Nolen, Pettus, Robinson, Smith, Sowell, Thomason, Walker—25.

Nays:

Messrs. Day, Deens of Covington, Hundley, McElderry, Moody—5.

The bill passed—yeas, 26; nays, 2.

Yeas:

Messrs. President, Abercrombie, Bethune, Brewer, Brooks, Brown, Buchanan, Case, Cunningham, Deans of Shelby, Deens of Covington, Grant, Hall, Hawkins, Hogue, Kilpatrick, Lee, Matthews, Moody, Nolen, Pettus, Robinson, Smith, Sowell, Thomason, Walker—26.

Nays:

Messrs. Hundley and McElderry—2.

The bill,

s. 200. To establish a separate school district to be known as the Logan school district, in Cullman county, Ala.,

Was read a third time and passed—Yeas 20; nays 0.

Yeas:

Messrs. Abercrombie, Bethune, Brooks, Brown, Case, Deens of Covington, Grant, Hall, Hawkins, Hogue, Hollis, Hundley, Kilpatrick, Lee, Matthews, McElderry, Moody, Nolen, Robinson, Thomason—20.

The bill,

s. 182. To amend sections twelve, fifteen and sixteen of an act approved on the 26th day of January, 1891, entitled an act to establish a charter for the town of Woodlawn, in Jefferson county, Ala.,

Was read a third time and passed—yeas 21, nays 0.

Yeas:

Messrs. Abercrombie, Bethune, Brooks, Brown, Case, Cunningham, Day, Deens of Covington, Grant, Hall, Hawkins, Hollis Hundley, Kilpatrick, Lee, Matthews, McElderry, Moody, Nolen, Robinson—21.

The bill,

s. 183. To extend the corporate limits of the town of Woodlawn. Extend the police jurisdiction of the corporate authorities of said town and to further define the duties of the mayor and aldermen of said town as to the school fund,

Was read a third time and passed—yeas 21, nays 0.

Yeas:

Messrs. Abercrombie, Bethune, Brooks, Brown, Buchanan, Case, Cunningham, Day, Deens of Covington, Grant, Hall, Hawkins, Hollis, Hundley, Kilpatrick, Lee, McElderry, Robinson, Smith, Sowell, Thomason—21.

The bill,

s. 153. To fix the compensation of the governor of the State of Alabama, secretary of State, State auditor, treasurer, attorney-general, superintendent of education. chief justice and associate justices of the supreme court, chancellors, circuit court judges, circuit court solicitors,

Under an adverse report from the committee.

On motion of Mr. Sayre, Mr. Kilpatrick presiding, the adverse report was concurred in.

Yeas 17, nays 8.

Yeas:

Messrs. President, Abercrombie, Bethune, Brewer, Browder, Brown, Cunningham, Grant, Hawkins, Hundley, Kilpatrick, Lee, McElderry, Moody, Sowell, Thomason, Walker—17.

Nays

Messrs. Brooks, Buchanan, Day, Deens of Covington, Hall, Hollis, Nolen, Robinson—8.

MESSAGE FROM THE HOUSE.

Mr. President:

The house has concurred in the senate amendments to

H. 195. To incorporate the city of Fruithurst;

And has concurred in the senate amendments to

H. 239. To amend an act entitled an act to define and prescribe a lawful fence in certain portions of the county of Madison, approved February 28th, 1889, as amended by section one of an act approved February 21st, 1893, and as amended by section one of an act approved January 29th, 1895;

And has concurred in the senate amendments to

H. 72. To require licenses for operating flying-jennys, or other devices of similar kind for profit;

And the house has adopted the following joint resolution and ordered the same sent to the senate without engrossment:

Joint resolution relative to raising a committee of three to investigate the convict system of the State.

MASSEY WILSON,
Clerk.

HOUSE MESSAGE.

The house joint resolution, just received, raising a joint committee to investigate the convict system, was read and referred to the committee on rules.

ADJOURNMENT.

At 12:35 o'clock P. M., on motion of Mr. Sayre, Mr. Kilpatrick presiding, the senate adjourned until 4 o'clock this afternoon.

AFTERNOON SESSION.

The senate was called to order by the president at 4 o'clock.

A quorum was present.

INTRODUCTION OF BILLS.

By leave, bills were introduced, read the first time and

referred to appropriate committees, as follows:

By Mr. Abercrombie —

s. 213. To amend section 1008 of the code,

Education;

By Mr. Hall—

s. 214. To amend section 3 of "an act to establish an agricultural school and experiment station at Albertville, Alabama, Lebanon, Alabama, or Springville, Alabama, to be located by the governor, superintendent of education and commissioner of agriculture," enacted February 21, 1893,

Agriculture.

RESOLUTION.

Mr. Pettus offered the following joint resolution, which was referred to the committee on rules:

Be it resolved by the senate, the house concurring, That a the special committee raised to sit during recess to revise the assessment laws, be allowed a clerk.

MESSAGE FROM THE HOUSE.

Mr. President:

The house has passed the following senate bills:

s. 64. To amend section seven (7) of an act to preserve order at the Sims Camp Ground, in the county of Randolph, State of Alabama;

s. 20. To fix the time for pleading and setting of causes for trial in the courts of the Third Judicial Circuit of Alabama;

s. 47. To prevent fires getting out in the woods in Wilcox county, Alabama;

s. 88. To authorize the Governor to sell and convey a certain lot or parcel of land situated near Montgomery, Alabama, belonging to the State;

s. 18. To establish a new charter for the town of Edwardsville, in Cleburne county;

s. 178. To appropriate the sum of twenty-two thousand dollars ($22,000.00) to be used in the additional improvement of the institutions for the deaf and blind in this State;

s. 174. To amend the charter of the town of Eutaw, in Greene county, in the State of Alabama, and all acts amendatory thereto;

s. 42. To confirm the incorporation of the Birmingham Medical College, a corporation organized under the general laws of this State, to declare its powers, and to confer upon it additional rights, privileges and powers;

s. 2. To establish a separate school district to be known as the Flat Rock District, in Winston and Cullman counties;

s. 30. To establish a new charter for the city of Demopolis;

s. 51. To amend section one (1) of an act to establish the Guin School District in Marion county;

s. 187. To create the town of Edwardsville in Cleburne county, a separate school district.

The house has amended as therein shown, and, as amended, has passed—

s. 159. To legalize the acts of the jury commission of Wilcox county, Alabama, in filling the jury box of said county, and the drawing of the grand and petit juries therefrom in November, 1896, for the year 1897,

And has passed

s. 90. To amend sections 1 and 7 of an act entitled "an act to provide a system of water works for the city of Montgomery," approved the 26th day of January, 1891;

s. 40. To amend section 9 of an act entitled "an act to establish five additional branch agricultural experiment stations and agricultural schools, to be located in the first, fourth, fifth, sixth and ninth congressional districts respectively, in the State of Alabama," approved February 18th, 1895;

s. 46. To repeal an act entitled "an act to constitute the town of Alco, in Escambia county, Alabama, a separate school district;

s. 1. To incorporate the town of Joppa in the county of Cullman and State of Alabama;

s. 29. To provide for the better support of the public schools of Escambia, Alabama, and for levying a special tax, within constitutional limits, to sustain them;

And the house has amended, as therein shown, and

passed,

s. 189. To incorporate the Capital City Ferry Company.

And the house has originated and passed the following bills and ordered the same sent forthwith to the senate, without engrossment,

H. 342. To create a separate school district to be known as the Belmont School District in Sumter county, and to define the boundaries thereof.

MASSEY WILSON,
Clerk.

HOUSE MESSAGES.

The senate concurred in the house amendment to the senate bill,

s. 159. To legalize the acts of the jury commission of Wilcox county, Alabama, in filling the jury box of said county and the drawing of the grand and petit juries therefrom in November, 1896, for the year 1897;

Yeas, 21; nays, 0.

Yeas:

Messrs. President, Abercrombie, Brown, Buchanan, Case, Cunningham, Deans of Shelby, Grant, Hall, Hawkins, Hogue, Hollis, Kilpatrick, Lee, Matthews, Moody, Nolen, Robinson, Smith, Thomason, Walker —21.

The senate concurred in the house amendment to the senate bill,

s. 189. To incorporate the Capital City Ferry Company.

Yeas, 20; nays, 0.

Yeas:

Messrs. President, Abercrombie, Bethune, Brown, Buchanan, Case, Cunningham, Deans of Shelby, Hall, Hawkins, Hogue, Hollis, Kilpatrick, Lee, Matthews, Nolen, Robinson, Smith, Thomason, Walker—20.

The house bill 342, the title of which is set out in the foregoing house message, was read the first time and referred to the committee on education.

RECOMMITMENT OF BILL.

On motion of Mr. Hogue, the bill,

H. 380. To regulate the fine and forfeiture fund of Elmore county and to better provide for the payment of claims registered against said fund by appropriating from the general fund to the fine and forfeiture fund money to pay registered claims against said fine and forfeiture fund, and provide for the payment of fines assessed or forfeitures rendered by a competent court in fine and forfeiture script of said county,

Was recommitted to the committee on local legislation.

RECONSIDERATION OF VOTE.

On motion of Mr. Grant, the vote by which the bill, H. 380, was recommitted to the committee on local legislation, was reconsidered and the bill, H. 380, was restored to the calendar.

REPORT ON ENROLLED BILLS.

Mr. Matthews, from the committee on enrolled bills, reported the following bill correctly enrolled:

S. 78. To appropriate the sum of twenty-two thousand dollars ($22,000.00) to be used in the additional improvement of the institutions for the deaf and blind in this State.

MESSAGE FROM THE HOUSE.

Mr. President:

The speaker of the house having signed the following bills, your signature thereto is requested:

H. 246. To establish a new charter for the city of Talladega;

H. 222. To make the clerk of the circuit court of Butler county ex-officio hard labor agent for said county;

H. 227. To establish a separate school district in Dale county, known as the Sylvan Grove school district, and fix the boundaries for same;

H. 238. To establish Big Spring school district in Madison county;

H. 303. To provide for the drawing of grand and petit jurors in Greene county;

H. 50. To establish the Enon school district in Bullock county;

H. 5. To establish a separate school district in Etowah county and to define the boundaries thereof;

H. 125. To prohibit the manufacture, sale or giving away of spirituous, vinous or malt liquors within five miles of Mount Moriah Baptist church, Bethel Baptist church, Harmony Baptist church, Kyle Spring Methodist church and Mount Ararat Methodist church, in Jackson county;

H. 72. To require licenses for operating flying jennys, or other devices of similar kind for profit;

H. 184. To regulate the trials of misdemeanors in Shelby county, Alabama;

H. 197. To create a separate school district out of the territory within two miles of the court house in the city of Ozark, in the county of Dale;

H. 193. To provide for the election of a county superintendent of education in Clarke county;

H. 70. For the improvement of roads and bridges in Jackson county;

H. 449. To amend section 2 of an act to create the 11th judicial circuit of the State of Alabama, to fix the time of holding court therein, to provide for the appointment of a judge for said circuit and the election of a solicitor for said circuit, approved Dec. 7th, 1894.

MASSEY WILSON,
Clerk.

SIGNING BILLS.

The president of the senate, in the presence of the senate, immediately after their titles had been publicly read by the secretary, signed the senate bill, s. 178, the title of which is set out in the foregoing report on enrolled bills, and also the house bills, the titles of which are set forth in the foregoing house message.

REPORT FROM THE COMMITTEE ON RULES.

Mr. Pettus, from the committee on rules, reported favorably the house joint resolution, providing for a joint committee to sit during recess and investigate the convict system of the State, and report to the General Assembly.

The report was concurred in and the resolutin was concurred in.

And the president of the senate appointed as the committee on the part of the senate, under the resolution, Messrs. Cunningham and Hall.

MESSAGE FROM THE HOUSE.

Mr. President:

The house has reconsidered the vote by which it concurred in the senate amendment to the house joint resolution relative to the raising a joint committee to visit the State University, and has concurred in the senate amendment and asks for a committee of conference.

Committee on part of the house, Messrs. Robinson, Browne of Talladega, Brown of Colbert.

And has passed the following senate bills:

s. 27. To refund to Henrietta Morton thirty dollars paid into the State Treasury by her for the purchase of certain lands, bid in by the State for taxes, and subsequently found to have been erroneously sold;

s. 71. To better provide for the working of the public roads of DeKalb county;

s. 89. To authorize the city council of Montgomery to issue bonds for the purpose of borrowing money to pave or otherwise improve the streets of the city of Montgomery;

s. 147. To amend section five of an act entitled an act to regulate the times of holding circuit courts in the western division of Blount county, and to provide records therefor, and to require the clerk of the circuit court of said county to keep a deputy clerk and office at Bangor, in said western division, approved Dec. 18, 1892.

And has amended as therein shown, and, as amended,

has passed

s. 121. To incorporate the town of Rock Mills in the county of Randolph.

MASSEY WILSON,
Clerk.

HOUSE MESSAGES.

The senate acceded to the request of the house for a committee of conference on the disagreement of the two houses on the senate amendment to the house joint resolution, raising a joint committee to visit the University of the State, during the recess, and report on the management of the same.

The president of the senate announced as the conferrees on the part of the senate,

Messrs. Rogers, Brewer and Moody.

The senate concurred in the house amendment to the senate bill

s. 121. To incorporate the town of Rock Mills in the county of Randolph,

Yeas 19, nay 0.

Yeas:

Messrs. Bethune, Boykin, Brooks, Brown, Buchanan, Case, Cunningham, Deans of Shelby, Grant, Hall, Hogue, Hollis, Kilpatrick, Lee, McElderry, Moody, Robinson, Smith, Thomason—19.

SPECIAL ORDER SET.

On motion of Mr. McElderry,

The bill,

H. 380. To regulate the fine and forfeiture fund of Elmore county and to better provide for the payment of claims registered against said fund by appropriating from the general fund to the fine and forfeiture fund money to pay registered claims against said fine and forfeiture fund and to provide for the payment of fines assessed as forfeitures rendered by a competent court in fine and forfeiture script of said county,

Was made a special order at 12 o'clock M. on the first Wednesday after the recess, being January 20th, 1897.

REPORT FROM THE COMMITTEE ON RULES.

Mr. Pettus, from the committee on rules, reported favorably the senate joint resolution authorizing the joint committee to revise and examine into the assessment laws, during recess, to employ a clerk.

The report was concurred in and the resolution was adopted.

BILLS ON THIRD READING.

The bill,

s. 184. To unite all of fractional township 13, R. 5 with all of township 13 R. 4 between Oak Tuppah creek in Choctaw county into one township school district,

Was read a third time and passsed.—yeas 20, nays 0.

Yeas:

Messrs. Abercrombie, Bethune, Brooks, Brown, Buchanan, Cunningham, Deans of Shelby, Grant, Hall, Hawkins, Hogue, Hollis, Lee, Matthews, McElderry, Moody, Nolen, Pettus, Smith, Thomason—20.

The bill,

H. 281. To amend section 2081 of the Code, as to presentation of claims, against the estate of deceased person and when claims are barred,

Was read a third time and passed—yeas 20, nays 0.

Yeas:

Messrs. President, Abercrombie, Bethune, Boykin, Brooks, Buchanan, Day, Deans of Shelby, Grant, Hawkins, Hogue, Kilpatrick, Mattthews, McElderry, Moody, Nolen, Robinson, Smith, Thomason, Walker—20.

MESSAGE FROM THE HOUSE.

Mr. President:

The house has passed the following senate bills:

s. 96. For the protection of the State Capitol and the grounds around it;

s 75. To amend an act approved February 21st, 1893, to authorize the probate judge of DeKalb, Lime-

stone and Crenshaw counties to call a special school board of education to select a uniform series of standard school books to be used in the public schools of DeKalb, Limestone and Crenshaw counties, Alabama;

s. 125. To amend section 2 of an act to prevent stock from running at large in certain parts of Marengo county;

And has concurred in the senate joint resolution providing for a clerk to the joint committee to revise the assessment and revenue laws.

MASSEY WILSON, Clerk.

ADJOURNMENT.

At 5:30 o'clock P. M., on motion of Mr. Hogue, the senate adjourned until to-morrow morning at 10 o'clock.

TWENTY-FIFTH DAY.

Wednesday, December 9, 1896.

The senate met pursuant to adjournment.

Prayer by the Rev. Mr. Gabriel of the city.

Present:

Messrs. President, Abercrombie, Bethune, Boykin, Brewer, Brooks, Browder, Brown, Buchanan, Case, Cunningham, Day, Deans of Shelby, Deens of Covington, Grant, Hall, Hawkins, Hogue, Hollis, Hundley, Kilpatrick, Lee, Matthews, McElderry, Moody, Nolen, Pettus, Robinson, Smith, Sowell, Thomason, Walker —32.

The reading of the journal of yesterday was dispensed with, on motion of Mr. Robinson.

INTRODUCTION OF BILLS.

On the call of the districts bills were introduced, read and referred to the appropriate committees, as follows:

By Mr. Smith—

s. 215. To amend an act approved February 28th, 1887, entitled "an act to facilitate the giving of bonds required by law and to authorize certain corporations to become the sole surety thereon,"

Judiciary;

RESOLUTION.

Mr. Sowell offered the following joint resolution, which was immediately considered and adopted, as follows:

Resolved by the senate, the house of representatives concurring, That the sum of fourteen and 45–100 dollars ($14.45) be allowed J. H. Foster for articles of use ordered by the doorkeeper of the senate for use of the senate, the same to be paid by the State Treasurer on the warrant of the State Auditor out of the appropriation made for the expenses of the general assembly at the present session.

RECOMMITMENT OF BILL.

On motion of Mr. Abercrombie the bill, senate bill 197, was recalled from the judiciary committe and recommended to the committee on education.

MESSAGE FROM THE HOUSE.

Mr. President:

The house has adopted the joint resolution, herewith sent, raising a joint committee to wait on the governor and consult with him relative to the hour at which the general assembly should adjourn to-day for the recess.

And has non-concurred in the senate joint resolution relative to the clerks of the joint committe to examine the report of the code commissioners serving the committee on revenue laws;

And has concurred in the senate amendment to the house bill,

H. 72. To require licenses for operating flying-jennys,

or other devices of similar kind for profit;

And has concurred in the senate amendment to the house bill,

H. 239. To amend an act entitle an act to define and prescribe a lawful fence in certain portions of the county of Madison, approved February 28, 1889, as amended by section one of an act approved February 21st, 1893, and as amended by section one of an act approved January 29th, 1895;

And has concurred in the senate amendments to the house bill,

H. 195. To incorporate the city of Fruithurst;

And the house has concurred in the senate joint resolution providing for the employment of a clerk to serve joint committee to sit during the recess to examine the revenue laws;

And has passed the following senate bills:

s. 25. To establish a county school book board to select a uniform series of text books for use in the public schools in the county of Winston;

s. 49. To provide for the holding of regular jury terms of the county court of Wilcox county, Ala., when the judge of said court from sickness or otherwise fails to attend;

s. 188. To declare the powers and jurisdiction of the city court of Anniston of Calhoun county, Alabama;

s. 192. To authorize the city of Eufaula to issue bonds for funding its bonded debt created under an act approved February 6th, 1877, and maturing January 1st, 1899;

s. 194. To establish the Tuskaloosa county law and equity court;

And has amended as therein shown, and, as amended, has passed the following senate bills:

s. 91. To amend sections 1, 9, 21, 43, 50, 72, 92 and 98 of "an act to establish a new charter for the city of Montgomery," approved February 21, 1893; and sections 1, 2, 3, 4, 5, 12, 17, 20, 22, 25, 30, 31, 32, 35 and 37 of "an act to amend sections 3, 5, 6, 7, 10, 11, 12, 15, 17, 18, 21, 24, 27, 33, 35, 37, 38, 42, 52, 53, 54, 55, 57, 59, 60, 61, 62, 65, 66, 71, 73, 77, 78, 79, 81, 83, 84, 85 and 96, and to repeal section 82 of an act to establish a new charter for the city of Montgomery, approved February 21, 1893,"

approved February 18th, 1895;

s. 69. To require the board of revenue of Montgomery county to divide the territory now embraced in precincts 3, 4, and 17 in said county into precincts containing not more than one thousand male persons over the age of twenty-one years;

s. 81. To fix and regulate the ex-officio fees of the clerk of the circuit court of Limestone county;

s. 4. To legalize the registration of deeds of conveyance which have been filed and recorded in the office of the judge of probate of the proper county in this State before the passage of this act but not within the time required by law, and of those which may be so filed and recorded within twelve months from the passage of this act.

MASSEY WILSON,
Clerk.

HOUSE MESSAGE.

The senate concurred in the house joint resolution just received, raising a joint committee to wait on the governor and determine on an hour of adjournment to-day.

And the president appointed Mr. Pettus as the member of the committee from the senate.

The senate concurred in the house amendment to the senate bill,

s. 81. To fix and regulate the ex.officio fees of the clerk of the circuit court of Limestone county,

Yeas, 21; nays, 0.

Yeas:

Messrs. President, Abercrombie, Bethune, Boykin, Brewer, Brooks, Browder, Brown, Cunningham, Deans of Shelby, Deens of Covington, Grant, Hawkins, Hollis, Kilpatrick, Lee, Matthews, Robinson, Smith, Sowell, Thomason—21.

And the senate concurred in the house amendment to the senate bill,

s. 69. To require the board of revenue of Montgomery county to divide the territory now embraced in precincts 3, 4, and 17 in said county into precincts containing not more than one thousand male persons over the

age of twenty-one years,

Yeas, 22; nays, 0.

Yeas:

Messrs. President, Abercrombie, Bethune, Boykin, Brewer, Brooks, Browder, Cunningham, Day, Deans of Shelby, Deens of Covington, Hawkins, Hogue, Hollis, Hundley, Kilpatrick, Matthews, Moody, Robinson, Smith, Sowell, Thomason—22.

And the senate concurred in the house amendment to the senate bill,

s. 91. To amend sections 1, 9, 21, 43, 50, 72, 92 and 98 of "an act to establish a new charter for the city of Montgomery," approved February 21, 1893; and sections 1, 2, 3, 4, 5, 12, 17, 20, 22, 25, 30, 31, 32, 35 and 37 of "an act to amend sections 3, 5, 6, 7, 10, 11, 12, 15, 17, 18, 21, 24, 27, 33, 35, 37, 38, 42, 52, 53, 54, 55, 57, 59, 60, 61, 62, 65, 66, 71, 73, 77, 78, 79, 81, 83, 84, 85 and 96, and to repeal section 82 of an act to establish a new chater for the city of Montgomery, approved February 21, 1893," approved February 18th, 1895,

Yeas, 29; nays, 0.

Yeas:

Messrs. President, Abercrombie, Bethune, Boykin, Brewer, Brooks, Buchanan, Case, Cunningham, Day, Deans of Shelby, Deens of Covington, Grant, Hall, Hawkins, Hogue, Hollis, Hundley, Kilpatrick, Lee, Matthews, McElderry, Moody, Nolen, Pettus, Robinson, Smith, Sowell, Thomason—29.

The senate concurred in the house amendment to the senate bill,

s. 4. To legalize the registration of deeds of conveyance which have been filed and recorded in office of the judge of probate of the proper county in this State before the passage of this act, but not within the time required by law, and of those which may be so filed and recorded within twelve months from the passage of this act,

Yeas, 15; nays, 3.

Yeas:

Messrs. President, Abercrombie, Bethune, Cunningham, Grant, Hawkins, Hogue, Kilpatrick, Lee, Moody, Nolen, Rogers, Smith, Sowell, Thomason—15.

Nays:

Messrs. Brown, Hollis Hundley—3.

RECONSIDERATION OF VOTE.

Mr. Pettus moved to reconsider the vote by which the senate had just concurred in the house amendment to the senate bill 4 (the title of which is set forth in the foregoing house message).

The motion prevailed.

And on his motion the senate non-concurred in the amendment by the house, and asked for a committee of conference thereon.

The president appointed as conferrees on the part of the senate:

Messrs. Brown, Sowell and Hundley.

REPORT ON ENROLLED BILLS.

Mr. Matthews, from the committee on enrolled bills reported the following bills correctly enrolled:

s. 20. To fix the time for pleading and setting of causes for trial in the courts of the third judicial circuit of Alabama;

s. 25. To establish a county school book board to select a uniform series of text books for use in the public schools in the county of Winston;

s. 47. To prevent fires getting out in the woods in Wilcox county, Alabama;

s. 64. To amend section (7) of an act to preserve order at the Sims camp ground, in the county of Randolph, State of Alabama;

s. 90. To amend sections 1 and 7 of an act entitled an act to provide a system of water works for the city of Montgomery, approved the 26th day of January, 1891;

s. 96. For the protection of the State capitol and the grounds around it;

s. 106. To fix the times and places of holding the chancery courts in the north eastern chancery division;

s. 121. To incorporate the town of Rock Mills in the county of Randolph;

s. 125. To amend section 2 of an act to prevent stock from running at large in certain parts of Marengo

county;

s. 147. To amend section five of an act entitled "an act to regulate the times of holding circuit courts in the western division of Blount county, and to provide records therefor, and to require the clerk of the circuit court of said county to keep a deputy clerk and office at Bangor, in said western division," approved December 13th, 1892;

s. 151. To change the corporate name of the Montgomery, Hayneville and Camden Railroad to that of the Montgomery, Hayneville and Camden Railroad Company;

s. 88. To authorize the governor to sell and convey a certain lot or parcel of land situate near Montgomery, Alabama, belonging to the State;

s. 30. To establish a new charter for the city of Demopolis;

MESSAGE FROM THE HOUSE.

Mr. President:

The speaker of the house having signed the following bills your signature is requested thereto:

H. 4. To make appropriations for the ordinary expenses for the education, legislation and judicial department of the State, for interests on the public debt and for public schools.

MASSEY WILSON,
Clerk.

SIGNING BILLS.

The president of the senate, in the presence of the senate, immediately after their titles had been publicly read by the secretary, signed the house bill 4, the title of which is set forth in the foregoing house message, and also, signed the senate bills, the titles of which are set forth in the foregoing report of the committee on enrolled bills.

MESSAGE FROM THE GOVERNOR.

STATE OF ALABAMA,
EXECUTIVE DEPARTMENT,
MONTGOMERY, ALA., December 9th, 1896.

Mr. President:

I am directed by the governor to communicate to the

senate a message in writing.

CHAPPELL CORY,
Private Secretary.

STATE OF ALABAMA,
EXECUTIVE DEPARTMENT,
MONTGOMERY, December 9th, 1896.

To the Senate:

I herewith return without my approval, and for the re-consideration required by the constitution, Senate bill 41, "To authorize the levy and collection of a tax upon property within the city of Birmingham, Ala., or that may be lawfully taxable therein, for the maintenance of the public schools of said city."

I regret to withhold my assent from this bill because I am in cordial sympathy with its purposes. I find, however, on the face of the bill that it originated in the senate and raises revenue. The thirty first section of the fourth article of our constitution declares that all bills for raising revenue shall originate in the house of representatives. The mandate is too clear to be misunderstood, and I feel constrained to interpose my objection to its violation.

JOS. F. JOHNSTON,
Governor.

GOVERNOR'S MESSAGE ON VETO.

The question being "shall the bill (s. 41) pass notwithstanding the governor's veto?"

The bill was lost—yeas 0, nays 30.

Nays:

Messrs. President, Abercrombie, Bethune, Boykin, Brewer, Brooks, Browder, Buchanan, Cunningham, Day, Deans of Shelby, Deens of Covington, Grant, Hall, Hawkins, Hogue, Hollis, Hundley, Kilpatrick, Lee, Matthews, McElderry, Moody, Nolen, Pettus, Robinson, Smith, Sowell, Thomason—30.

REPORTS FROM SELECT COMMITTEES.

Mr. Pettus from a select joint committee submitted

the following report:

Mr. President:

Your committee appointed to consult with the governor and fix an hour for adjournment of the two houses to-day for the recess would respectfully report as follows: That they have visited the offices of the enrolling clerks of two houses and find that the enrollment the bills already passed cannot be completed uutil this afternoon late.

That they have called on and consulted with the governor, and after this consultation your committee are of of opinion that the hour for the adjournmeut of the two houses should be fixed at six o'clock this afternoon, and therefore reccommend that the two houses adjourn for the recess at six o'clock p. m. to-day, Dec. 9th, 1896.

FRANCIS L. PETTUS,
Com. on part of Senate.
CECIL BROWNE,
J. J. ALTMAN,
Com. on part of house.

The report was concurred in and the committee discharged.

The senate proceeded to consider,

BILLS ON THIRD READING.

The bill,

s. 129. For the release of Jesse Sloan, J. T. Miller, James B. Marsh, Reuben C. Davis, C. C. Davis, W. E. Quin, E. S. Killian, and B. H. Nicholson, from the payment of the official bond of S. D. Monroe, ex-county treasurer of DeKalb county, Alabama,

Was taken up.

The amendment reported by the committee, as follows:

Amend by inserting "D. C. Case" in caption and body of the bill after "B. H. Nicholson."

Was adopted.

Mr. Moody offered the following amendment:

Amend by adding after the caption of the bill before the words "release" words "or partial,"

Also, by inserting before the words "a judgment" in the body of the bill the words "one-half the amount of."

On motion of Mr. Hawkins, the amendment was laid on the table,

And the bill, as amended, was read a third time and passed—yeas 25, nays 4.

Yeas:

Messrs. Abercrombie, Bethune, Brooks, Brown, Buchanan, Cunningham, Day, Deans of Shelby, Deens of Covington, Grant, Hall Hawkins, Hogue, Hollis, Hundley, Lee, Matthews, McElderry, Nolen, Pettus, Robinson, Smith, Sowell, Thomason, Walker—25.

Nays:

Messrs. President, Boykin, Brewer and Moody.—4.

The bill,

H. 217. To regulate the fees of the clerk of county court of Bibb county.

Was read a third time and passed—yeas 21, nays 0.

Yeas:

Messrs. President, Abercrombie, Bethune, Boykin, Brooks, Browder, Brown, Cunningham, Deans of Shelby, Deens of Covington, Grant, Hawkins, Hollis, Kilpatrick, Lee, Matthews, Robinson, Smith, Sowell, Thomason; Walker—21.

The bill,

H. 271. To make the wife a competent witness for or against her husband in any prosecution against him for abandoning his family and leaving them in danger of becoming a burden to the public,

Was taked up.

Mr. Sayre offered an amendment, which was adopted and the bill as amended,

Was read a third time and passed—yeas 23, nays 0.

Yeas:

Messrs. President, Bethune, Boykin, Brooks, Browder, Brown, Buchanan, Case, Cunningham, Day, Deans of Shelby, Deens of Covington, Hawkins, Hogue, Hollis, Kilpatrick, Lee, Matthews, Pettus, Smith, Sowell, Thomason, Walker—23.

The bill,

H. 532. To relieve Kittie Seay May, of Hale county,

of the disabilities of non-age,

Was read a third time and passed—yeas 24, nays 0.

Yeas:

Messrs. President, Bethune, Boykin, Brooks, Browder, Brown, Buchanan, Cunningham, Day, Deens of Covington, Grant, Hall, Hawkins, Hogue, Hollis, Lee, Matthews, McElderry, Nolen, Robinson, Smith, Sowell, Thomason, Walker—24.

The bill,

H. 489. To authorize the owner of lands formerly belonging to the East Birmingham Land Company to vacate and close up certain streets and avenues appearing upon the map of said lands,

Was read a third time and passed—yeas 25, nays 0.

Yeas:

Messrs. President, Abercrombie, Bethune, Brooks, Brown, Buchanan, Cunningham, Day, Deans of Shelby, Deens of Covington, Grant, Hall, Hawkins, Hogue, Hollis, Hundley, Kilpatrick, Lee, Matthews, McElderry, Nolen, Robinson, Smith, Sowell, Thomason.—25.

The bill,

H. 418. To incorporate the Life and Accident Association of Birmingham, Alabama,

Was read a third time and passed; yeas 21, nays 1.

Yeas:

Messrs. President, Bethune, Brooks, Brown, Buchannan, Cunningham, Day, Deans of Shelby, Deens of Covington, Grant, Hall, Hogue, Hollis, Hundley, Kilpatrick, Lee, Matthews, Nolen, Robinson, Sowell, Thomason,—21.

Mr. McElderry voted, No.—1.

The bill

H, 88. To confirm the incorporation and organization of the McGill Institute in the city of Mobile and to define, declare aud enlarge the power of said corporation,

Was taken up.

Mr. Smith moved to table the amendments reported by the commitee.

Carried.

Was read a third time and passed.—yeas 22, nays 0.

Yeas:

Messrs. President, Bethune, Boykin, Brewer, Brooks, Brown, Buchanan, Cunningham, Day, Deans of Shelby, Deens of Covington, Grant, Hawkins, Hollis, Hundley, Lee, Matthews, Nolen, Pettus, Smith, Sowell, Thomason. —22.

The bill.

H. 147. To amend an act entitled an act to repeal section 3286-3287 and 3288 of the Code of 1876," approved February 17th, 1885,

Was taken up out of its regular order,

On motion of Mr. Hawkins the further consideration of the bill was indefinitely posponed.

The bill,

H. 196. To amend section 1 of an act entitled an "act to prohibit the sale, giving away, delivering, transferring, parting with, procuring, or other disposition of spirituous, vinous or malt liquors, or any intoxicating bitters, within five miles of Andalusia High School, Baptist and Methodist churches," approved February 16, 1895.

Was read a third time and passed.—yeas 24, nays 0.

Yeas:

Messrs. President, Bethune, Boykin, Brooks, Brown, Buchanan, Case, Cunningham, Day, Deens of Shelby, Deens of Covington, Grant, Hall, Hawkins, Hogue, Hollis, Lee, Matthews, McElderry, Nolen, Robinson, Smith, Sowell, Thomason.—24.

The bill,

s. 203. To prohibit the sale of spirituous, vinous, or malt liquors within that part of Tuscaloosa county which lies outside of incorporated towns and cities,

Was read a third time and passed.—yeas 26, nays 0.

Yeas:

Messrs. President, Bethune, Boykin, Brewer, Brooks, Browder, Brown, Buchanan, Case, Cunningham, Day, Deans of Shelby Deens of Covington, Grant, Hall, Hawkins, Hogue, Hollis, Lee, Matthews, McElderry, Nolen, Robinson, Smith, Sowell, Thomason.—26.

The bill,

s. 149. To amend section 1319 of the Code,

Was taken up.

The substitutes reported by the committee was ad-

opted.

On motion of Mr. Pettus, the bill was recommitted to the committee on finance and taxation.

The bill,

H. 57. To authorize Percy Wiggins, Daisy Wiggins, Emma Wiggins and Reuben Wiggins, minor heirs of Stephen L. Wiggins, deceased, to convey certain lands herein described, in Clarke county, Alabama,

Was read a third time and passed.—yeas 26, nays 0.

Yeas:

Messrs. President, Bethune, Brooks, Brown, Buchanan, Case, Cunningham, Day, Deans of Shelby, Deens of Covington, Grant, Hall, Hogue, Hollis, Hundley, Lee, Matthews, McElderry Moody, Nolen, Pettus, Robinson, Smith, Sowell, Thomason, Walker.—26.

The bill,

H. 56. To authorize Phoebe Trull, Hinchey Trull and Willie Trull, minor heirs of Jackson J. Trull, deceased, under the age of 18 years, to convey certain lands herein described, in Clarke county, Alabama.

Was read a third time and passed.—yeas 24, nays 0.

Yeas:

Messrs. President, Bethune, Brooks, Browder, Buchanan, Case, Cunningham, Day, Deans of Shelby, Deens of Covington, Grant, Hall, Hawkins, Hogue, Hollis, Kilpatrick, Lee, Matthews, McElderry, Nolen, Robinson, Smith, Sowell, Thomason—24.

The bill,

H. 466. To amend an act entitled an act "To regulate the issue of garnishments and the proceedings therein in the county of Morgan," approved February 1st, 1895, so that it will read as follows:

Was read a third time and passed.—yeas 25, nays 0.

Yeas:

Messrs President, Bethune, Boykin, Brewer, Brooks, Browder, Brown Buchanan, Cunningham, Day, Grant, Hall, Hawkins, Hogue, Hollis, Kilpatrick, Lee, McElderry, Nolen, Pettus, Robinson, Smith, Sowell, Thomason, Walker—25.

The bill,

H. 180. To make an appropriation to cover the deficiency "for distributing the Acts and Journals of the

General Assembly of 1892–3, Codes and other public documents for the year ending September 30th, 1893, and for the year ending September 30th, 1894, and to pay White, Woodruff & Fowler the balance due to them for stationery furnished by them to the State under a contract to furnish the same,

Was read a third time and passed—yeas 25, nays 0.

Yeas:

Messrs. President, Bethune, Boykin, Brewer, Brooks, Browder, Brown, Buchanan, Cunningham, Day, Grant, Hall, Hawkins, Hogue, Hollis, Kilpatrick, Lee, McElderry, Nolen, Pettus, Robinson, Smith, Sowell, Thomason, Walker—25.

The bill,

H. 359. To regulate the sale of spirituous, vinous and malt liquors in the town of Tuskegee, Alabama;

Was read a third time and passed—yeas 22, nays 4.

Yeas:

Messrs. President, Abercrombie, Bethune, Boykin, Brewer, Brooks, Browder, Brown, Case, Cunningham, Day, Deans of Shelby, Hawkins, Hollis, Hundley, McElderry, Moody, Nolen, Pettus, Smith, Thomason, Walker—22.

Nays:

Messrs. Buchanan, Deens of Covington, Grant and Hall—4.

RECONSIDERATION OF VOTES.

Mr. Hawkins moved to reconsider the vote by which the house bill 147 was indefinitely postponed to-day.

The motion prevailed.

On motion of Mr. Hawkins the further consideration of the bill was postponed, and made a special order at 12 o'clock M, on Friday, January 22d, 1897.

On motion of Mr. Brewer, by unanimous consent, the vote by which

The bill,

S. 152. To require passenger trains on railways in this State, to stop at the station nearest the court house town of every county in this State, and to prescribe who shall establish such stations and to fix penalties for the

Was taken up.

The amendment reported by the committee was adopted.

On motion of Mr. Pettus, the further consideration of the bill was postponed and made the special order at 12 o'clock M. on Thursday, January 28th, 1897.

SPECIAL ORDERS.

The bill,

s. 111. Regulating the payment of wages of employes, laborers and wage earners, engaged in mining and manufacturing in the counties of Jefferson, Walker, Bibb and Blount, was taken up and considered.

Mr. Hogue moved to recommit the bill and amendments to the committee on corporations.

Mr. McElderry moved to amend the motion to recommit by substituting the judiciary for the corporation committee.

On motion of Mr. Cunningham the motion made by Mr. McElderry was laid on the table,

And Mr. Hogues motion prevailed, and the bill with the amendments were recommitted to the committee on corporations.

The next special order for this hour,

The bill,

s. 148. To authorize and require an election to be held in this state concerning the regulation of the sale, giving away or delivery of spirituous, vinous and malt liquors in this State, and to declare the effect of such election,

Was taken up.

On motion of Mr. Moody, the further consideration of the bill was postponed and made the special order for 11 o'clock A. M, on Monday, January 25th, 1897.

The next special order for this hour,

The bill,

s. 3. To regulate the trial of misdemeanors in the the county of Marshall,

Was next taken up.

Mr. Hall moved to lay the bill and the pending sub-substitute on the table.

And the speaker has appointed, as the committees on the part of the house, under joint resolutions raising joint committees to sit during the recess, the following:

Code committee—

Messrs. Stansel, Davis, Pitts, Bouldin and Kyle;

Committee to investigate the revenue laws—

Messrs. Meador, Mitchell and Barnes;

Committee to investigate the public school system—

Messrs. Browne of Talladega, Brandon and Darby;

Committee to visit Livingston Normal school—

Messrs, Barron, Coleman and Kennamer;

Committee to visit Normal College at Florence—

Messrs. Browne of Talladega, Glover and Lavender;

Committee to investigate the convict system—

Messrs. Wiley, Barnes and McCollum;

And has passed the following senate bills:

s. 59. To repeal an act entitled an act to amend section 5025 of of the code (of 1876) so far as the same applies to Blount county approved February 23, 1883, and also to re-enact section 3675 of the code of Alabama as to the county of Blount;

s. 131. To authorize the Secretary of State to dispose of certain books belonging to the State;

s. 124. To more effectually secure competent and well qualified jurors for the county of Marengo;

s. 117. To amend section 1 of an act entitled an act to incorporate Union Springs Female College, approved February 22, 1887.

MASSEY WILSON,
Clerk.

HOUSE MESSAGES.

The house bills in the foregoing house message were severally read once and referred to appropriate committees as follows:

H. 288, to local legislation;

H. 505, to education;

Mr. Cunningham moved to amend the house joint resolution, providing for a joint committee on mining and manufacturing, to sit during the recess and to examine into and report on this subject to the general assembly,

By making the committee to consist of one from the

senate and two from the house and to limit their sittings to ten days.

On motion of Mr Brewer, the resolution and amendment were laid on the table—yeas 13, nays 12.

Yeas:

Messrs President, Bethune, Boykin, Brewer, Brooks, Browder Brown, Grant, Hawkins, Hundley, McElderry, Nolen, Pettus, Thomason—13.

Nays:

Messrs. Abercrombie, Buchanan Case, Cunningham, Day, Deans of Shelby, Deens of Covington, Hall Hollis, Lee, Moody, Smith—12.

The house joint resolution providing for a clerk to the committee on mines and manufacturing, was ordered to lie on the table.

REPORT FROM CONFERENCE COMMITTEE.

Mr. Moody, from a conference committee submitted the following report:

Mr. President:

Your committee on the disagreement of the two houses on the senate amendment to the house joint resolution to appoint a committee to visit the State University have had the same under consideration and recommend:

I. That the senate recede from its amendment.

II. That the following amendment be adopted to the original resolution, viz:

"Provided such committee shall not sit for more than ten days—except at its own expense."

W. Brewer,
Frank S. Moody,
Committee on part of Senate.
Edwd. M. Robinson,
Wilson R. Brown,
Cecil Browne,
Committee on part of House.

The report was concurred in.

MESSAGE FROM THE HOUSE.

Mr. President:

The speaker of the house having signed the following

bills your signature is requested thereto:

H. 276, To establish Huffman school district in Jefferson county, Alabama;

H. J. R. To investigate and consider the public school system of the State;

H. J. R. To consider and report proper legislation on assessment of property for taxation and prepare a system of revenue laws for this State;

H. 277. To establish a school district to be known as the Gate City school district of Jefferson county;

H. 204. To prohibit the sale, giving away or otherwise disposing of any spirituous, vinous or malt liquors within five miles of the Saginaw M. E. Church, Shelby county, Alabama;

H. 239. To amend an act entitled an act to define and prescribe a lawful fence in certain portions of the county of Madison, approved Feb 28, 1889, as amended by section one of an act approved February 21st, 1893, and as amended by section one of an act approved January 29, 1895,

H. 165. To set apart and exempt a school site in section 16, township 5, range 7 east in Jackson county;

H. 190. To repeal an act entitled an act to amend section 5025 of the code (of 1876) so far as the same applies to Blount county, approved February 23rd, 1883, and also to re-enact section 3675 of the code of Alabama as to the county of Blount;

H. 281. To amend section 2081 of the code, as to presentations of claims, against the estate of deceased persons and when claims are barred;

H. 213. To levy a license tax, State and county on all peddlers of medicines, drugs or articles of like character in the counties of Macon, Jefferson, Calhoun, Autauga, Bullock, Tallapoosa, Marengo, Monroe, Lee, Talladega, Montgomery, Coffee, Barbour, DeKalb, Wilcox, Elmore, Dallas, Sumter, Tuscaloosa, Russell, Chambers and Greene;

H. 240. To change the name of State "Normal and Industrial School" to "The Argricultural and Mechanical College for negroes, at Normal, Madison County, Alabama, and authorize the same to confer degrees,

MASSEY WILSON,
Clerk.

REPORT OF ENROLLED BILLS.

Mr. Matthews, from the committee on enrolled bills, reported the following bills correctly enrolled :

s. 27. To refund to Henrietta Morton thirty dollars paid into the State Treasury by her for the purchase of certain lands, bid in by the State for taxes, and subsequently found to have been erroneously sold ;

s. 187. To create the town of Edwardsville in Cleburne county, a separate school district ;

s. 89. To authorize the city council of Montgomery to issue bonds for the purpose of borrowing money to pave or otherwise improve the streets of the city of Montgomery ;

s. 159. To legalize the acts of the jury commission of Wilcox county, Alabama, in filling the jury box of said county, and the drawing of the grand and petit juries therefrom in November, 1896, for the year 1897 ;

s. 75. To amend an act entitled an act approved February 21st, 1893, to authorize the probate judge of DeKalb, Limestone and Crenshaw counties to call a special school board of education to select a uniform series of standard school books to be used in the public schools of DeKalb, Limestone and Crenshaw counties, Alabama.

s. 18. To establish a new charter for the town of Edwardsville. in Cleburne county ;

s. 81. To fix and regulate the ex-officio fees of the clerk of the circuit court of Limestone and Morgan counties ;

s. 29. To provide for the better support of the public schools of Escambia county, Alabama, and for levying a special tax, within constitutional limits, to sustain them.

SIGNING BILLS.

The president of the senate, in the presence of the senate, immediately after their titles had been publicly read by the secretary, signed the foregoing house bills, the titles of which are set out in the foregoing house message, and, also, signed the senate bills, the titles of which are set out in the foregoing report of the committee on enrolled bills.

EXECUTIVE SESSION.

The president announced that a communication from the governor required an executive session, whereupon the doors of the senate chamber being closed, the senate went into executive session.

After a short time spent therein, the doors of the senate were opened and the secretary of the senate was instructed to notify the governor of the action of the senate in executive session, and to spread the result thereof on the journal.

The senate, in executive session, consented to and confirmed the appointment and nomination of Louis V. Clark for Brigadier general of the State troops.

ADJOURNMENT.

At 1:30 o'clock P. M., on motion of Mr, Grant, the senate adjourned until 4 o'clock this afternoon.

AFTERNOON SESSION.

The senate reassembled at 4 o'clock.

A quorum was present.

The senate proceeded to consider

BILLS ON THIRD READING.

The bill,

s. 152. To require passenger trains on railways in this State to stop at the station nearest the court house town of every county in this State, and to prescribe who shall establish such stations and to fix penalties for the violation of such requirement,

Was taken up.

Mr. Pettus offered the following amendment:

Provided, the provisions of this act shall not apply to vestibuled or limited trains, being trains which only stop for coal and water or at terminal or register stations, and all trains shall stop at Letohatchie in Lowndes county,

Which was adopted,

The bill, as amended,

Was read a third time and passed—yeas 20, nays 0.

Yeas:

Messrs. President, Bethune, Brewer, Brooks, Browder, Brown, Buchanan, Case, Cunningham, Day, Deens of Covington, Hall, Hawkins, Hollis, Lee, Nolen, Pettus, Robinson, Smith, Thomason—20.

The bill,

H. 128. To fix the compensation of not more than two regular baliffs of the criminal court or Jefferson county, and to provide for its payment,

Was taken up,

The amendment reported by the committee was adopted,

And the bill, as amended,

Was read a third time and passed—yeas 21, nays 0.

Yeas:

Messrs. President, Bethune, Boykin, Brewer, Browder, Buchanan, Cunningham, Day, Deens of Covington, Grant, Hall, Hawkins, Kilpatrick, Lee, McElderry, Moody, Nolen, Pettus, Robinson, Smith, Thomason—21.

The bill,

H. 280. To amend an act entitled an act to establish a new charter for Phenix City in Lee County, Alabama, approved December 10th, 1894,

Was read a third time and passed—yeas 23, nays 0.

Yeas:

Messrs. President, Bethune, Boykin, Brewer, Browder, Brown, Buchanan, Cunningham, Day, Deens of Covington, Grant, Hall, Hawkins, Hollis, Kilpatrick, Lee, McElderry, Moody, Nolen, Pettus, Robinson, Smith, Thomason—23.

The bill,

H. 462. To better define the boundaries of the city of Jasper, Walker county, Alabama,

Was taken up.

On motion of Mr. Hollis, the further consideration of the bill was postponed, and made a special order at 12 o'clock M. on Monday, January 25th, 1897.

The bill,

s. 201. To establish a charter for the city of Jemison in Chilton county, Alabama,

Was read a third time and passed—yeas 22, nays 0.

Yeas:

Messrs. President, Bethune, Boykin, Brooks Browder, Buchanan, Day, Deans of Shelby, Deens of Covington, Grant, Hall, Hawkins, Hogue, Hollis, Kilpatrick, Lee, Moody, Nolen, Robinson, Smith, Sowell, Thomason —22.

The bill,

H. 67. To provide for the election of four county commissioners in Fayette county, and to prescribe the manner of electing same,

Was read a third time and passed—yeas 20, nays 0.

Yeas:

Messrs. President, Bethune, Boykin, Brooks, Browder, Buchanan, Day, Deans of Shelby, Deens of Covington, Grant, Hall, Hawkins, Kilpatrick, Lee, Moody, Nolen, Pettus, Smith, Sowell, Thomason—20.

The bill,

H. 158. To regulate and prescribe the manner of electing county commissioners of Dale county,

Was read a third time and passed—yeas 20, nays 0.

Yeas:

Messrs. President, Bethune, Boykin, Brewer, Brooks, Buchanan, Day, Deans of Shelby, Deens of Covington, Grant, Hawkins, Hollis Kilpatrick, Lee, Nolen, Pettus, Robinson, Smith, Sowell, Thomason—20.

The bill,

H. 296. To create a separate school district in Barbour county known as the Afton school district,

Was read a third time and passed—yeas 22, nays 0.

Yeas:

Messrs. President, Abercrombie, Bethune, Brewer. Brooks, Browder, Buchanan, Cunningham, Day, Deans of Shelby, Deens of Covington, Grant, Hall, Hawkins, Hollis, Lee, Nolen, Pettus, Robinson, Smith, Sowell, Thomason—22.

The bill,

s. 206. To create sections one (1), twelve (12) and thirteen (13) of towship one (1), range (4) west and sections 5, 6, 7, 8, 17 and 18, township 1, range 3 west in Limestone county, a separate school district to be known as "Mount Pleasant" district,

Was read a third time and passed—20, nays 0.

Yeas:

Messrs. President, Bethune, Boykin, Brewer, Brooks, Browder, Buchanan, Cunningham, Day, Deans of Shelby, Deens of Covington, Grant, Hall, Hawkins, Hollis, Kilpatrick, Lee, Pettus, Robinson, Smith, Sowell, Thomason—20:

The bill,

H. 18. To amend section 1 of an act to provide for a county solicitor for Mobile county, approved February the 8th, 1879,

Under an adverse report from the committee,

Was taken up.

On motion of Mr. Smith the adverse report was concurred in.

The bill,

H. 385. To authorize the construction of tramways, pole-roads, canals and ditches and for the establishment of dirt roads by corporations, associations, partnerships and individuals in the counties of Coffee, Dale and Geneva,

Was taken up.

On motion of Mr. Brooks, the further consideration of the bill was postponed and made a special order at 12 o'clock M. on Monday, February 1st, 1896.

RECONSIDERATION OF VOTE.

Mr. Pettus moved to reconsider the vote by which the house joint resolution providing for a joint committee on the subject of mining and manufacturing was laid on the table to-day.

The motion prevailed.

Mr. Cunningham offered an amendment to the resolution which was adopted,

And the resolution was concurred in.

The president appointed as the committtee on the part of the senate,

Mr. Bethune.

MESSAGE FROM THE HOUSE.

Mr. President:

The Speaker of the house having signed the following

bills, your signature is requested theroto:

H. 11. To provide for the registration and lien of judgment for the payment of money in the courts of justice of the peace in Lamar, Calhoun, Monroe, Barbour, Walker, Etowah, Macon, Fayette. Sumter, Tallapoosa, Chilton and Madison counties;

H. J. R. To investigate the methods and work of the Alabama State Normal college at Florence, Alabama;

H. J. R. To investigate the convict system of this State;

H. 56. To authorize Phœbe Trull, Hinchey Trull and Willie Trull, minor heirs of Jackson J. Trull, deceased, under the age of 18 years, to convey certain lands herein described in Clarke county, Alabama,

H. 418. To incorporate the Life and Accident Association of Birmingham, Alabama;

H. 217. To regulate the fees of the clerk of county court of Bibb county;

H. 201. To establish a new charter for the city of Huntsville;

H. 67. To provide for the election of four county commissioners in Fayette county, and to prescribe the manner of electing same;

H. 88. To confirm the incorporation and organization of the McGill Institute in the city of Mobile and to define, declare and enlarge the powers of said corporation;

H. 158. To regulate and prescribe the manner of electing county commissioners of Dale county;

H. 296. To create a separate school district in Barbour county known as the Afton school district;

H. 280. To amend an act entitled an act to establish a new charter for Phenix City in Lee county, Alabama, approved December 10th, 1894;

H. 466. To amend an act entitled an act "to regulate the issue of garnishments and the proceedings thereon in the county of Morgan, approved February 1st, 1895, so that it will read as follows:

H. J. R. To investigate the State University;

H. 389. To authorize the owner, of the lands formerly belonging to the East Birmingham Land Company to vacate and close up certain streets and avenues appearing upon the map of said lands;

H. 532. To relieve Kitty Seay May of Hale county, of the disabilities of non-age;

H. 196. To amend section 1 of an act entitled "an act to prohibit the sale, giving away, delivering, transferring, parting with, procuring, or other disposition of spirituous, vinous or malt liquors, or any intoxicating bitters, within five miles of Andalusia High School, Baptist and Methodist churches," approved February 16, 1895;

H. 57. To authorize Percy Wiggins, Daisy Wiggins, Emma Wiggins and Reuben Wiggins, minor heirs of Stephen L. Wiggins, deceased, to convey certain lands herein described, in Clarke county, Alabama;

H. 180. To make an appropriation to cover the deficiency "for distributing the acts and journals of the general assembly of 1892–3, codes and other public documents for the year ending September 30th, 1893, and for the year ending September 30th, 1894, and to pay White, Woodruff & Fowler the balance due to them for stationery furnished by them to the State under a contract to furnish the same;

H. 195. To incorporate the city of Fruithurst;

H. 359. To regulate the sale of spirituous, vinous and malt liquors in the town of Tuskegee, Alabama;

MASSEY WILSON,
Clerk.

SIGNING HOUSE BILLS.

The president of the senate, in the presence of the senate, immediately after their titles had been publicly read by the secretary, signed the foregoing house bills and joint resolutions, the titles of which are set forth in the foregoing house message.

MESSAGE FROM THE HOUSE,

Mr. President:

The speaker has appointed as the committee on the part of the house, under the joint resolution raising a joint committee to visit the State University,

Messrs. Hibbard, Robinson and Longshore,

And the house non-concurs in the senate amendment to the joint resolution raising a joint committee on mining and manufacturing.

MASSEY WILSON,
Clerk.

HOUSE MESSAGES.

The senate insists on its amendment to the resolution mentioned in the foregoing house message, and asks a committee of conference thereon.

The president appointed as conferees on the part of the senate,

Messrs. Cunningham, Sowell and Pettus.

REPORT OF ENROLLED BILLS.

Mr. Matthews, from the committee on enrolled bills, reported the following bills correctly enrolled, to-wit:

s. 192. An act to authorize the city of Eufaula to issue bonds for funding its bonded debt created under an act approved February 6th, 1877, and maturing January 1st, 1899;

s. 25. An act to establish a county school-book board to select a uniform series of text books for use in the public schools in the county of Winston.

s. 131. An act to authorize the secretary of State to dispose of certain books belonging to the State;

s. 117. An act to amend section 1 of an act entitled an act to incorporate Union Springs Female College, approved February 22, 1887;

s. J. R. To pay J. H. Foster for articles furnished to the door keeper of the senate for the use of the senate;

s. 124. To more effectually secure competent and well qualified jurors for the county of Marengo;

s. 188. To declare the powers and jurisdiction of the city court of Anniston of Calhoun county, Alabama,

s. 51. To amend section one (1) of an act to establish the Guin school district in Marion county.

s. 71. An act to better provide for the working of

the public roads of DeKalb county;

s. 40. An act to amend section nine (9) of an act entitled an act approved February 18th, 1895, to establish five additional branch Agricultural Experiment Station and Agricultural Schools to be located in the First, Fourth, Fifth, Sixth and Ninth congressional Districts respectfuly, in the State of Alabama.

s. 2. An act to establish a separate school district to be known as the Flat Rock district, in Winston and Cullman counties;

s. 174. An act to amend the charter of the town of Eutaw, in Greene county, in the State of Alabama, and all acts amendatory thereto;

s. 49. To provide for the holding of regular jury terms of the county court of Wilcox county Alabama, when the Judge or said court from sickness or otherwise fails to attend;

s. 69. To require the board of revenue of Montgomery county to divide the territory now embraced in precincts 3 and 4, in said county into precincts containing not more than one thousand male persons over the age of twenty-one years;

s. 42. An Act to confirm the incorporation of the Birmingham Medical College, a corporation organized under the general laws of this State, to declare its powers, and to confer upon it additional rights, privileges and powers;

s. 68. An act to regulate the filing of pleas and demurrers in the circuit courts of the counties of Lowndes, Butler, Crenshaw and Conecuh;

s. 165. An act to confer additional powers and rights upon the Montgomery, Hayneville and Camden Railroad Company, formerly the Montgomery, Hayneville and Camden Railroad;

s. 1. An act to incorporate the town of Joppa, in the county of Cullman, and State of Alabama;

s. 46. An act to repeal an act entitled an act to constitute the town of Alco, in Escambia county, Alabama, a separate school district;

s. 189. An act to incorporate the Capital City Ferry Company;

s. 59. An act to repeal an act entitled "an act to

amend section 5025 of the Code (of 1876) so far as the same applies to Blount county," approved February 23, 1883, and also to re-enact section 3675 of the Code of Alabama as to the county of Blount;

s. 194. To establish the Tuskaloosa law and equity court;

s. 91. To amend sections 1, 9, 21, 43, 50, 72, 92 and 98 of "an act to establish a new charter for the city of Montgomery," approved February 21, 1893; and sections 1, 2, 3, 4, 5, 12, 17, 20, 21, 22, 25, 30, 31, 32, 33, 35 and 37 of "an act to amend sections 3, 5, 6, 7, 10, 11, 12, 15, 17, 18, 24, 27, 35, 37, 38, 42, 52, 53, 54, 55, 57, 59, 60, 61, 62, 65, 66, 71, 73, 77, 78, 79, 81, 83, 84, 85 and 96, and to repeal section 82 of an act to establish a new charter for the city of Montgomery, approved February 21, 1893," approved February 18th, 1895;

SIGNING SENATE BILLS.

The president of the senate, in the presence of the senate, immediately after their titles had been publicly read by the secretary signed the foregoing senate bills and resolution, the titles of which are set forth in the foregoing report of enrolled bills:

MESSAGE FROM THE HOUSE.

Mr. President:

The house accedes to the request of the senate for a committee of conference relative to the disagreement to the two houses &c., on the mining resolution.

Committee on part of the house:

Messrs. Cofer, Altman and Burns,

And has adopted the house joint resolution herewith sent, appointing the Hon. A. D. Sayre a member of the Code committee.

MASSEY WILSON,
Clerk.

HOUSE MESSAGES.

The house message just received was ordered to lie on the table.

RECESS.

The senate took an informal recess for thirty minutes, The senate having been called to order by the president.

REPORT FROM A CONFERENCE COMMITTEE.

Mr. Cunningham from a conference committee, submitted the following report:

Mr. President:

The committee of conference on the disagreement of the two houses in reference to a joint resolution pertaining to the appointment of a committee to sit during recess to consider mining interest beg leave to report, that they, after, consultation, failed to agree.

R. M. CUNNINGHAM,
F. L. PETTUS,
B. M. SOWELL,
Committee upon part of the senate.

The committe was discharged.

MESSAGE FROM THE GOVERNOR.

STATE OF ALABAMA, EXECUTIVE DEPARTMENT
OFFICE OF THE GOVERNOR,
MONTGOMERY, December 9th, 1896.

Mr. President:

I am directed by the Governor to inform the senate that he has approved senate bills numbered 96, 20, 64, 90, 106, 121, 125, 147, 151, 88, 47, 30, 81, 29, 89, 75, 159, 25, 27, 18, 194, 91, 71, 165, 46, 68, 69, 189, 40, 124, 117,

131, 192, 188, 174, 49, 2, 1, 51.

R. G. BANKS,
Recording Secretary.

ADJOURNMENT.

At 6 o'clock P. M. pursuant to the joint resolution of the two houses, the senate adjourned until 10:30 o'clock A. M., January 20th, 1897.

TWENTY-SIXTH DAY.

Wednesday, January 20, 1897.

The senate met pursuant to adjournment.
Prayer by the Rev. Mr. Martin of Dale county.
Present:
Messrs. President, Abercrombie, Bethune, Boykin, Brewer, Brooks, Brown, Buchanan, Cunningham, Day, Deans of Shelby, Deens of Covington, Grant, Hall, Hawkins, Hogue, Hundley, Kilpatrick, Lee, Matthews, McElderry, Moody, Nolen, Pettus, Robinson, Smith, Sowell, Thomason, Walker—27.

READING OF JOURNAL.

On motion of Mr. Pettus the reading of the journal of yesterday (December 9th, 1896), was dispensed with, and the journal approved.

LEAVE OF ABSENCE.

Leave of absence was granted to Mr. Case for to-day.

INTRODUCTION OF BILLS.

On the call of the districts, bills were introduced, read and referred to appropriate committees, as follows:
By Mr. Brown—

s. 216. To require the history, constitution and civil government of Alabama to be taught in the public schools,

Education;

Also,

s. 217. Looking to the reduction of the expenses of the State government,

Finance and taxation;

Also,

s. 218. To require directors of agricultural experiment stations and agricultural schools to publish bulletins and reports,

Agricultral;

Also,

s. 219. To regulate the summoning and attendance of witnesses in civil causes, and prescribe the duties of parties to suits and clerks of courts in reference thereto,

Judiciary;

Also,

s. 220. Joint resolution, raising committee to investigate charges of frauds in school census,

Rules;

Also,

s. 221. To require persons receiving tuition in State normal schools to teach five years in the State,

Education;

Also,

s. 222. To forbid the payment of any money out of the agricultural fund to such agricultural and experiment stations and agricultural schools as do not actually conduct experiment stations and teach scientific agriculture,

Agriculture;

Also,

s. 223. To prohibit the application of any part of the agricultural fund to the support of primary and intermediate departments in the agricultural experiment stations and agricultural schools,

Agriculture;

By Mr. Hundley—

s. 224. To amend section 4101 of the code of Alabama,

Judiciary;

Also,

s. 225. To encourage the investment of capitol in the State of Alabama,

Finance and taxation;

By Mr. Thomason—

s. 226. To authorize the court of county commissioners of Randolph county to issue bonds for the purpose of erecting a new court house for said county at Wedowee, Alabama, and to levy a tax to liquidate the debt to accrue thereby,

Finance and taxation;

Also,

s. 227. To authorize the preparation of, and filling the jury boxes of the county of Randolph, to legalize the same when prepared and filled, and to provide for drawing juries from said boxes,

Judiciary;

By Mr. Abercrombie—

s. 228. To establish a separate school district in Calhoun county to be called Randolph school district,

Education;

Also,

s. 229, To regulate the registration of electors in the State of Alabama;

Privileges and elections;

Also,

s. 230. To amend section 1663 of the code of Alabama,

Corporations;

Also,

s. 231. To establish a county court for the county of Cleburne,

Local legislation;

Also,

s. 232. To authorize the levy and collection of a tax upon property within the city of Anniston, Alabama, or that may be lawfully taxable therein, for the maintenance of the public schools of said city,

Local legislation;

By Mr. Hogue—

s. 233. To provide for the election of the county

superintendent of education for Perry county

Local legislation;

Also (with notice),

s. 234. To declare R. N. Ervin, a liner between the counties of Hale and Perry, a citizen of Hale county,

Local legislation;

By Mr. Brooks—

s. 235. To provide for and regulate the sale of liquors and other intoxicating drinks in Dale county, Alabama,

Temperance;

By Mr. Bethune—

s. 236. To amend section 1 of an act to regulate the trial of certain misdemeanors committed in Bullock county, Alabama, approved February 21, 1893,

Judiciary;

By Mr. Boykin—

s. 237. To provide for the regulation of railroad companies and persons in this State; and to provide for the regulation of railroad freight and passenger tariffs; and the location and building of passenger and freight depots and to regulate rates of storage to be charged; to prevent unjust discriminations in the rates charged for transportation of passengers and freights, and to prohibit railroad companies, corporations and lessees in this State from charging other than just and reasonable rates and to prescribe a mode of procedure and rules of evidence in relation thereto; and to appoint commissioners and prescribe their powers and duties in relation to the same,

Commerce and common carriers;

Also,

s. 238. To establish a new charter for the town of Seale, in Russell county,

Municipal and county organizations;

Also,

s. 239. To amend sections 14, 15, 20, 24, of an act entitled an act to amend an act entitled an act to incorporate the city of Girard, in Russell county, approved December 8th, 1890; and to amend section 16 of an act entitled an act to incorporate the city of Girard, in Russell county, approved December the 8th, 1890,

Municipal and county organizations;

By Mr. Sayre—

s. 240. To define and regulate fraternal beneficiary orders,

Corporations;

Also (with notice, &c.),

s. 241. To remove the disabilities of non-age of William Bellinger Bell, a minor under the age of eighteen years,

Judiciary;

Also,

s. 242. To allow appeals to the supreme court from decisions in the chancery courts of this State granting or refusing to grant rehearings of a final decree, and to provide the manner in which evidence may be introduced in support of said application,

Judiciary;

By Mr. Smith—

s. 243. To incorporate the Mobile Light and Railroad Company,

Corporations;

By Mr. Lee—

s. 244. To amend an act to create a separate school district in the town of Brewton, Alabama, to define its boundaries and provide for the maintenance of schools therein, approved February 6th, 1895,

Education;

By Mr. Matthews—

s. 245. For the preservation of game, animals and birds in the county of Colbert,

Local legislation;

By Mr. Smith—

s. 246, To prevent persons not an employe, agent, officer, or passenger from attaching themselves to any portion of any train of any railroad company, or its locomotive or tender, for the purpose of beating their way, without paying fare, and to provide for the punishment thereof,

Judiciary;

Also,

s. 247. To prevent the jumping on or off of trains while in motion, and to provide for the punishment thereof,

Judiciary;

Also,

s. 248. To prevent persons not employees or connected with any railroad, from detaching or uncoupling any train, or putting on breaks, or otherwise interfering with same, while standing in any depot, crossing or stop, and to provide for the punishment thereof,

Judiciary;

By Mr. Abercrombie—

s. 249. To further regulate elections in the State of Alabama,

Privileges and elections;

Also,

s. 250. To repeal an act entitled "an act to prohibit the sale, giving away or otherwise disposing of spirituous, vinous or malt liquors at or within certain localities in this State," approved February 28th, 1881; so far as the same relates to the corporate limits of the city of Fruithurst, in Cleburne county, on the Southern railway,

Temperance;

By Mr. Brewer—

s. 251. To amend sections 80, 81, 82, and 83 of the code of 1886,

Finance and taxation.

ORDER TO PRINT.

On motion of Mr. Hogue, 100 copies of the bill s. 247 was ordered printed for the use of the senate.

RESOLUTION.

Mr. Hundley, offered the following joint resolution—

Resolved by the senate, the house concurring, That our representatives in the senate of the United States be and they are hereby requested to urge the approval by the senate of the compact of arbitration which has been agreed upon by the representatives of Great Britian and the United States, in reference to the Venezuelan boundary dispute,

Which was referred to committee on rules.

The senate next proceeded to consider,

SPECIAL ORDER FOR TO-DAY.

The bill,

s. 10. To repeal an act entitled an act to amend an act to establish a city court for the county of Talladega, approved February 18th, 1895, and to provide for the disposition of all causes pending in said court, for the issuance of process on judgments and decrees in said court, for the issuance of process on indictments in said court, and for the transfer of all dockets, papers and books, relating to cases in said court, to the circuit and chancery court of Talladega county, respectively, and to provide for signing of bills of exceptions, and appeals to the supreme court from judgments and decrees rendered by said court,

Was read a third time and passed—yeas 22, nays 0.

Yeas:

Messrs. President, Abercrombie, Bethune, Brewer, Brooks, Brown, Deans of Shelby, Deens of Covington, Grant, Hawkins, Hogue, Hundley, Kilpatrick, Lee, Matthews, McElderry, Nolen, Robinson, Smith, Sowell, Thomason, Walker—22.

The next special order,

The bill,

H. 380. To regulate the fine and forfeiture fund of Elmore county and to better provide for the payment of claims registered against said fund by appropriating from the general fund to the fine and forfeiture fund money to pay registered claims against said fine and forfeiture fund and to provide for the payment of fines assessed as forfeitures rendered by a competent court in fine and forfeiture script of said county,

Was taken up,

And on motion of Mr. Deans of Shelby, was re-committed to the committee on local legislation.

ADJOURNMENT.

At 11:10 o'clock A. M. on motion of Mr. Pettus, the senate adjourned until to-morrow morning at 10:30 o'clock.

TWENTY-SEVENTH DAY.

THURSDAY, January 21st, 1897.

The senate met pursuant to adjournment.
Prayer by the Rev. Dr. Riley.
Present,
Messrs. President, Abercrombie, Bethune, Boykin, Brewer, Brooks, Brown, Buchanan, Case, Cunningham, Day, Deans of Shelby, Deens of Covington, Grant, Hall, Hawkins, Hogue, Hollis, Hundley, Kilpatrick, Lee, Matthews, McElderry, Moody, Nolen, Pettus, Robinson, Smith, Sowell, Thomason, Walker—31.

READING OF JOURNAL.

On motion of Mr. Boykin the reading of the journal of yesterday was dispensed with.

INTRODUCTION OF BILLS.

On the call of districts bills were introduced, read the first time, and referred to appropriate committees as follows:

By Mr. Sowell, (by request)—

s. 252. To confirm the incorporation of Huntsville and Monte Sano Improvement Company and to confer upon it additional powers,

Corporation;

Also, (by request),

s. 253. To authorize the court of county commissioners of Madison county, to encourage the enlargement of the plant of the Dallas manufacturing company in Madison county,

Judiciary;

Also, (by request),

s. 254. To provide for the payment of grand jury certificates heretofore issued by the foreman of grand jury, when the same have been registered in Madison county,

Judiciary;

Also, (by request),

s. 255. To authorize the court of county commissioners of Madison county, to aid in keeping up the Huntsville infirmary,

Judiciary;

By Mr. Brown,

s. 256. To require circuit solicitors to attend all circuit courts and supersede county solicitors therein,

Judiciary;

Also,

s. 257. Requiring practical farming to be taught at all agricultural and experiment stations and agricultural schools in this State,

Agriculture;

Also, (by request),

s. 258. To authorize guardians of minors or insane persons to dispose of personal property belonging to the estates of their wards without an order from the probate court, for the purpose of paying taxes on ward's property, school tuition, or any actual or necessary expenses,

Judiciary;

Also,

s. 259. To incorporate the town of Holly Pond, in the county of Cullman, and State of Alabama,

Municipal and county organizations;

Also,

s. 260. To punish persons who willfully or recklessly give publicity to falsehoods to influences voters in any election in this State,

Privileges and elections;

By Mr. McElderry—

s. 261. To prevent the running at large of stock in certain portions of Talladega county,

Local legislation;

Also,

s. 262. For the relief of T. L. Boswell, by compensating him out of the county treasury of Talladega county for the registration of electors in said county during the time the said T. L. Boswell, has been county registrar of said county, and to provide for the compensation of county registrars of elections in said Talladega county in the future,

Privileges and elections;

By Mr. Robinson—

s. 263. To repeal an act entitled an act to require sheriffs and coroners sales in the county of St. Clair, approved February 1st, 1856,

Judiciary;

By Mr. Abercrombie—

s. 264. To amend sections 2, 12, 15 and 17 of an act entitled an act to create a new charter for the town of Heflin, Cleburne county, Alabama, approved December 12, 1894,

Municipal and county organizations;

Also,

s. 265. To amend the charter of the city of Anniston, to amend sections seventeen (17), and twenty-five (25) of an act, approved February 18, 1895, entitled "an act to establish a new charter for the city of Anniston," and to prescribe in what the fine, taxes, licenses, dues and charges due to and collectable by the city of Anniston, shall be paid,

Municipal and county organizations;

Also,

s. 266. To authorize the mayor and council of the town of Edwardsville in Cleburne county to issue bonds of said town to the amount of twenty-five hundred dollars, for the purpose of purchasing land and erecting thereon and equipping a school building for the benefit of said town,

Finance and taxation;

By Mr. Hall—

s. 267. To authorize and empower the board of control of the Northeast Alabama Agricultural Experiment Station and Agricultural School at Albertville, Alabama, to sell certain lands deeded to the State of Alabama for the benefit of said school,

Agriculture;

By Mr. Thomason—

s. 268. To authorize and direct the commissioners court of Randolph county to select and provide a suitable building at Wedowee in said county for the holding of the various courts of said county until a court house shall have been built for said county and to designate

said building,

Local legislation;

By Mr. Deans of Shelby—

s. 269. To authorize the Tallassee Falls Manufacturing Company to discontinue a ferry across the Tallapoosa river near Tallassee, Elmore county, Alabama,

Local legislation;

By Mr. Grant (with notice)—

s. 270. For the relief of J. H. Henley of Clarke county,

Local legislation;

By Mr. Lee—

s. 271. To amend sections one, four and seven of an act entitled an act to authorize the mayor and councilmen of Brewton to issue bonds of said city for an amount not exceeding twenty-five thousand dollars, for the purpose of putting in a system of water works, and making other permanent improvements in said city, approved Feby. 14th, 1891,

Finance and taxation;

By Mr. Kilpatrick—

s. 272. To amend section 3634 (3933) of the code of Alabama adopted and approved on 28th of February, 1887,

Judiciary;

Also,

s. 273. For the relief of M. E. Curtis as late sheriff of Wilcox county, Alabama,

Judiciary;

Also,

s. 274. To repeal section 1 or rule 1 of rules of the supreme court of Alabama as published and adopted June 25th, 1896, and which rule is headed or commenced "1. Abstract of transcript, rules in regard to,"

Judiciary;

By Mr. Bethune—

s. 275. To amend an act to amend an act entitled an act for the protection of land and plantations from depredations by stock in Bullock county, approved December the 8th, 1880, approved Feby. 11th, 1883,

Judiciary;

Also,

s. 276. To prohibit physicians and surgeons when testifying as witness, from disclosing professional information,

Judiciary;

By Mr. Matthews (by request)—

s. 277. To ratify and confirm the incorporation of the Indian Head Mills of Alabama, and to confer additional powers on said corporation,

Corporation;

Also,

s. 278. To prevent camp hunting in the county of Colbert,

Local legislation;

By Mr. Smith—

s. 279. To incorporate the Gulf Coast Immigration and Manufacturing Company,

Corporations;

By Mr. Cunningham (with notice)—

s. 280. For the relief of A. A. Coleman,

Judiciary;

By Mr. Robinson—

s. 281. To authorize and empower Ross Yarbrough a minor under the age of twenty-one years to sell and convey his interest in certain lands,

Judiciary;

By Mr. Hundley—

s. 282. To regulate the service of process on non-residents in actions at law,

Judiciary;

Also,

s. 283. To regulate the appointment of inspectors of election and other election officials, so as to prevent fraud and secure fair elections in the State of Alabama,

Privileges and elections;

By Mr. Abercrombie—

s. 284. To regulate the public school system of the State of Alabama,

Education;

By Mr. Pettus—

s. 285. To incorporate the Alabama River Barge Line and Railroad Company,

Corporations;

By Mr. Sowell (with notice, &c.)—

s. 286. To create a separate school district in Limestone county, Alabama, to be known as the Athens school district,

Education.

RESOLUTION.

Mr. Abercrombie offered the following joint resolution:

Resolved by the senate, the house concurring, That the special joint educational committee that sat during the recess of the general assembly, be authorized to draw a certificate in favor of the clerk employed by that committee for five days service at $4.00 per day.

Which was referred to the committee on rules.

REPORTS OF COMMITTEES.

Billls were reported from committees and read a second time as follows:

By Mr. Hogue, from local legislation favorably,

s. 234. To declare R. N. Ervin, a liner between the counties of Hale and Perry, a citizen of Hale county;

Also,

s. 233. To provide for the election of the county superintendent of education for Perry county;

Also, with amendment,

H. 219. To provide for the registration of all claims against the fine and forfeiture fund of Bibb county;

Also, with amendment,

H. 96. To prevent persons from hunting with dog or gun or with bird nets upon the land of another in the county of St. Clair, without first obtaining permission and consent from the owner or agent of the land in cases where the same has been or is posted at three conspicuous places thereon;

By Mr. Moody from temperance, favorably,

s. 235. To provide for and regulate the sale of liquors and other intoxicating drinks in Dale county, Alabama.

REPORT ON ENGROSSED BILLS.

Mr. Sowell, the chairman of the committee on en-

grossed bills, reported the following bills correctly engrossed:

s. 10, 132, 152, 182, 183, 184, 200, 201, 203, 206, 127, 129.

REPORTS FROM SELECT JOINT COMMITTEE

Mr. Abercrombie from a select joint committee submitted the following report:

To the General Assembly of Alabama:

Your committee raised by joint resolution, whose duty it was to look into the educational interests of the State, beg leave to submit the following report: We have, as provided in the resolution, been in session for five days and have to the best of our ability modified and changed the school laws of the State which we have incorporated into the bill which we herewith submit and respectfully recommend for passage.

We further recommend that 300 copies of said bill be printed and used for distribution among the members, and that the general assembly, in a committee of the whole, shall consider and pass upon the same at such time as will be best suited.

Assuring you that your committee, after full and thorough investigation, have done all in their power, within the limited time allowed, to better regulate the public school system of the State by a bill, your committee respectfully ask that they be discharged.

Respectfully submitted,

JOHN W. ABERCROMBIE,
BEN M. SOWELL,
Senate committee.
WM. W. BRANDON,
W. B. DARBY,
House committee.

The report was received and the committee discharged.

ORDER TO PRINT.

In accordance with the suggestion of the select joint committee on educational laws, three hundred copies of

the bill,

s. 384. To regulate the public school system of the State of Alabama,

Were ordered to be printed.

RECOMMITMENT OF BILL.

On motion of Mr. Brooks,

The bill,

H. 385. To authorize the construction of tramways, pole roads, canals and ditches and for the establishment of dirt roads by corporations, associations, partnerships and individuals in the counties of Coffee, Dale, and Geneva,

Was recommitted to the committee on commerce and common carriers.

RECONSIDERATION OF VOTE.

On motion of Mr. McElderry, the vote by which the senate on yesterday, passed the bill,

s. 10. To repeal an act entitled an act to amend an act to establish a city court for the county of Talladega, approved February 18th, 1895, and to provide for the disposition of all causes pending in said court, for the issuance of process on judgments and decrees in said court, for the issuance of process on indictments in said court, and for the transfer of all dockets, papers and books, relating to cases in said court, to the circuit and chancery court of Talladega county, respectively, and to provide for signing of bills of exceptions, and appeals to the supreme court from judgments and decrees rendered by said court.

Was reconsidered.

MESSAGE FROM THE HOUSE.

Mr. President:

The house has originated and passed the following bills:

H. 21. To amend section 2098 of the code;

H. 87. To further provide for the working of the pub-

lic roads in Mobile county;

H. 123. To amend an act to authorize the commissioners court of the counties of Cherokee and Etowah to levy a tax for working public roads and to let out said roads by contract;

H. 249. To regulate the payment and maximum of allowance of fees for ex-officio services of officers in Cullman county, Alabama;

H. 319. For the relief of D. C. McInnis, of Mississippi;

H. 334. To prevent stock from running at large in certain parts of Monroe county;

H. 337. To establish a county school book board to select a uniform series of text books for use in the public schools in the counties of Sumter and Madison;

H. 420. To authorize the mayor and aldermen of the city of Huntsville to issue bonds of said city for an amount not exceeding thirty thousand dollars, for the exclusive purpose of building and repairing and constructing sewers;

H. 556. To regulate the running at large of stock in certain portions of Marengo county.

MASSEY WILSON,
Clerk.

HOUSE MESSAGES.

The house bills in the foregoing house message were severally read once and referred to appropriate committees as follows:

H. 21, 420, 249, 319 to judiciary;

H. 87, 123, 334, 556 to local legislation;

H. 337 to education.

The senate proceeded to consider

BILLS ON THIRD READING.

The bill,

S. 16. To amend an act entitled an act to dissolve garnishments in cases where the defendant executes bound to plaintiff, approved Feb. 12, 1891,

Was taken up.

The amendment reported by the committee was adopted.

On motion of Mr. Pettus, the further consideration of the bill was postponed and made the special order at 12 o'clock M. on Thursday, January 28th, 1897.

SPECIAL ORDERS.

The bill,

s. 111. Regulating the payment of wages of employes, laborers and wage earners, engaged in mining and manufacturing in the counties of Jefferson, Walker, Bibb and Blount, was taken up and considered.

Mr. Hogue moved to recommit the bill and amendments to the committee on corporations.

Mr. McElderry moved to amend the motion to recommit by substituting the judiciary for the corporation committee.

On motion of Mr. Cunningham the motion made by Mr. McElderry was laid on the table,

And Mr. Hogues motion prevailed, and the bill with the amendments were recommitted to the committee on corporations.

The next special order for this hour,

The bill,

s. 148. To authorize and require an election to be held in this state concerning the regulation of the sale, giving away or delivery of spirituous, vinous and malt liquors in this State, and to declare the effect of such election,

Was taken up.

On motion of Mr. Moody, the further consideration of the bill was postponed and made the special order for 11 o'clock A. M, on Monday, January 25th, 1897.

The next special order for this hour,

The bill,

s. 3. To regulate the trial of misdemeanors in the the county of Marshall,

Was next taken up.

Mr. Hall moved to lay the bill and the pending sub-substitute on the table.

Lost.

On motion of Mr Brown the further consideration of the bill was postponed until Thursdy, January 28th, 1897, and made the special order at 12 o'clock M. on that day.

ADJOURNMENT.

On motion of Mr. Hogue, at 12:38 o'clock P. M., the senate adjourned until to-morrow morning a 10:30 o'clock.

TWENTY-EIGHTH DAY.

Friday, January 22d, 1897.

The senate met pursuant to adjournment.

Prayer by Rev, Mr Hall of the senate.

Present:

Messrs. President, Abercrombie, Bethune, Boykin, Brewer, Brooks, Brown, Buchanan, Case, Cunningham, Day, Deans of Shelby, Grant, Hall, Hawkins, Hogue, Hollis, Hundley, Kilpatrick, Lee, Matthews, McElderry, Moody, Nolen, Pettus, Robinson, Smith, Sowell, Thomason, Walker—30.

READING OF THE JOURNAL.

On motion of Mr. Boykin the reading of the journal was dispensed with and the journal was approved.

LEAVE OF ABSENCE.

Leave of absence was granted to Mr. Deens of Covington for to-day and to-morrow.

INTRODUCTION OF BILLS.

On the call of the districts bills were introduced, read

and referred to appropriate committees as follows:

By Mr. Brown—

s. 287. To amend an act entitled an act to provide for the county court of Blount county, to be held at the court house at Bangor, for the trial of all causes cognizable in said court, arising in the western division of said county, approved February 21, 1893,

Judiciary;

By Mr. Robinson—

s, 288. To alter and define the boundary line between Shelby and St. Clair counties, in the State of Alabama,

Municipal and county organizations;

By Mr. McElderry—

s. 289. To provide for the working of the public roads within incorporated cities and towns in the county of Talladega where no municipal organization is sustained,

Local legislation;

By Mr. Hawkins—

s. 290. For the better protection of wood and timber,

Judiciary;

By Mr. Kilpatrick—

s. 291. To prevent families, or any member theref, being disturbed at their homes by the firing off of pistols, guns, cannon crackers, fire crackers, or like noises,

Judiciary;

Also,

s. 292. To require all public ginners, or persons who gin cotton for toll, to keep a book containing an accurate account of cotton ginned by them,

Agriculture;

By Mr. Cunningham—

s. 293, To incorporate the Southside Club of Birmingham, Alabama,

Corporations;

Also,

s. 294. To confirm the incorporation of the Birmingham Medical College, a corporation organized under the general laws of this State, to declare its powers, and to confer upon it additional rights, privileges and powers,

Corporation;

Also,

s. 295. To regulate the business of insurance in the State of Alabama,

Judiciary;

By Mr. Matthews—

s. 296. To fix the rate of the charge for recording and transcribing in the State and county offices in this State,

Finance and taxation;

By Mr. Lee—

s. 297. To preserve order at the Pensacola District Camp ground, in Escambia county, Alabama,

Local legislation;

By Mr. Sayre—

s. 298. To make the anniversary of the birthday of Gen. Robert E. Lee a legal holiday,

Judiciary;

Also,

s. 299. To regulate the fees of the judge and clerk of the county court of Montgomery county,

Finance and taxation;

By Mr. Moody—

s. 300. To amend an act entitled an act to amend section 1761 (3098) of the Code of Alabama, approved February 28th, 1889,

Judiciary;

By Mr. Abercrombie—

s. 301. To amend sections 2 and 20 of an act entitled "an act to establish a new charter for the town of Edwardsville in Cleburne county" approved December 9th, 1896,

Municipal and county organizations;

By Mr. Bethune—

s. 302. To provide for the disbursements of the monies derived from the agricultural department, and paid into the State treasury by the commissioner of agriculture, and the manner in which and the parties to whom said disbursements shall be made,

Agriculture.

RESOLUTION.

Mr. Pettus offered the following resolution, which was referred to the committee on rules:

Resolved by the senate, That the chairman of the committee on education is authorized to employ a clerk for such committee and such clerk when not engaged with the committee on education shall also, serve the committee on local legislation.

REPORTS OF COMMITTEES.

Bills were reported from committees and read a second time as follows:

By Mr. Pettus from judiciary, favorably,

s. 227. To authorize the preparation of, and filling the jury boxes of the county of Randolph, to legalize the same when prepared and filled; and to provide for drawing juries from said boxes,

Also,

s. 255. To authorize the court of county commissioners of Madison county to aid in keeping up the Huntsville Infirmary,

Also,

s. 254. To provide for the payment of grand jury certificates heretofore issued by the foreman of grand jury, when the same have been registered, in Madison county,

Also,

s. 253. To authorize the court of county commissioners of Madison county to encourage the enlargement of the plant of the Dallas Manufacturing Company, in Madison county,

Also,

s. 276. To prohibit physicians and surgeons, when testifying as witness from disclosing professional information,

Also,

s. 275. To amend an act to amend an act entitled an act for the protection of land and plantations from depredations by stock in Bullock county, approved December 8th, 1880, approved February 11th, 1883,

Also, with a substitute,

s. 110. To prohibit book making or poolselling in the State of Alabama,

Also, favorably,

s. 210. To prescribe the duties and qualifications of attorneys and counsellors at law, and regulate their admission to practice in the courts of the State,

Also,

s. 241. To remove the disabilities of non-age of William Bellinger Bell, a minor under the age of eighteen years,

Also,

s. 236. To amend section 1 of an act to regulate the trial of certain misdemeanors committed in Bullock county, Alabama, approved February 21st, 1893,

Also,

H. 297. To fix the time for pleading in the circuit court of Bibb county,

Also, adversely,

s. 224. To amend section 4101 of the Code of Alabama,

By Mr. Walker from corpopation, favorably,

s. 193. To incorporate the Colonial Investment Company,

Also, with amendment,

s. 243. To incorporate the Mobile Light and Railroad Company,

By Mr. Abercombie from education, favorably,

s. 221. To require persons receiving free tuition in State Normal schools to teach five years in the State,

Also,

s. 228. To establish a separate school district in Calhoun county, to be called Randolph School District,

Also,

s. 244. To amend an act to create a separate school district in the town of Brewton, Alabama, to define its boundaries and provide for the maintenance of schools therein, approved February 6th, 1895,

Also,

H. 342. To create a separate school district to be known as Belmont School District, in Sumter county, and to define the boundaries thereof,

Also,

H. 505. To establish a separate school district to be known as Flat Rock district, in Randolph county,

By Mr. McElderry from privileges and elections,

favorably,

s. 262. To provide for the relief of T. L. Boswell by compensating him out of the county treasury of Talladega county for the registration of elector in said county during the time the said T. L. Boswell has been county registrar of said county, and to provide for the compensation of county registrars of electors in said Talladega county in the future.

RECOMMITMENT OF BILLS.

Mr. Pettus from the judiciary committee returned the bills,

H. 107. For the relief of J. C. Lawrence of Perry county,

And

s. 280. For the relief of A. A. Coleman, and ask their reference to the committee on finance and taxation,

They were so referred,

On motion of Mr. Kilpatrick the bill

s. 273. For the relief of M. E. Curtis as late sheriff of Wilcox county, Alabama, was recalled from the judiciary committee and referred to the committee on finance and taxation.

WITHDRAWAL OF BILLS.

Mr. Buchanan asked and obtained leave to withdraw from the senate the bill

s. 199. To constitute the city of Luverne in Crenshaw county, a separate free school district for white children and to provide for the managment of said free school in said school district;

Mr. Abercrombie, also, asked and obtained leave to withdraw from further consideration by the senate the bill

s. 232. To authorize the levy and collection of a tax upon the property within the city of Anniston, Ala., or that may be taxable therein, for the maintenance of the public schools of said city.

REPORT OF SELECT JOINT COMMITTEE.

Mr. Smith submitted the following report:

To the President of the Senate:

The joint committee appointed by the two houses to

examine the report of Wm. L. Martin the commissioner appointed to revise and codify the statutes of this State, have compared section by section of the report of the commissioner with the code of 1886. They have made such modifications and changes as, after due consideration, seemed advisable.

A full list of such changes is hereto attached as a part of this report. The sections appearing first are those in the report of the commissioner; the sections in parentheses are those of the code of 1886.

The committee have had the constitution of the United States and of the State of Alabama put in both the civil and criminal codes. All other matters of an historical nature, and otherwise, other than the civil statutes of the State, are put in the volume containing the criminal statutes.

The committee have been most favorably impressed with the care and studious thought bestowed by the commissioner on his work. His duties were arduous and have been thoroughly performed. They are convinced that he has prepared a code of laws for the State of Alabama equal to any it has ever had, and surpassed by that of no other State in the Union.

They desire to express their thanks to Messrs. William L. Martin and A. D. Sayre for their valuable labors and and assistance to the committee in the discharge of their duties.

All of which is herewith submitted.

FRANK L. PETTUS,
HUGH MCELDERRY,
THOS. H. SMITH,
Committee on the part of the senate.
M. L. STANSEL, Chairman.
P. H. PITTS,
VIRGIL BOULDIN,
WM. C. DAVIS,
O. KYLE,
Committee on part of the house.

List of changes submitted committee with their report:

Section 38 (2603). The words "eighteen months" were stricken out and the words "twelve months" inserted in lieu thereof.

§ 41 (2606). The word "eighteen" was stricken out and the word "twelve" inserted in lieu thereof.

§ 43 (2022). All of said section after the word "appraise" was stricken out, and the words "upon such notice as the judge of probate may prescribe" were inserted in lieu thereof.

§ 69 (2027). The following words were stricken out: "Unless the succeeding judge shall continue him in office, which the succeeding judge may do; and the same bond, if otherwise sufficient shall be good, and the administrator and sureties bound thereon."

§ 82 (2039). This section was restored as shown in section 2039 of the Code of 1886.

§ 85. The words "by giving security for costs as required by law of non-residents" were inserted after the words "this article may."

§ 94 (2047). The words "or in which the administration is pending" were inserted after the words "from which letters issued."

§ 127 (2080). The word "eighteen" was stricken out and the word "twelve" inserted in lieu thereof.

§ 129. This section was changed so as to require claims to be presented within twelve months instead of eighteen.

§ 130 (2081). The word "eighteen" was stricken out where it occurred, and the word "twelve" inserted in lieu thereof. This was in accordance with amendatory act of December 9, 1896.

§ 131 (2082). The word "eighteen" was stricken out where it occurred, and the word "twelve" inserted in lieu thereof.

§ 134 (2084). The word "eighteen" was stricken out and the word "twelve" inserted in lieu thereof.

§ 136 (2086). The word "eighteen" was stricken out and the word "twelve," inserted in lieu thereof.

§ 137 (2087). The word "eighteen" was stricken out and the word "twelve" inserted in lieu thereof.

§ 141 (2091). At end of section, the following words were added: "but the heirs, devisees, distributees or legatees must have ten days notice of such application."

§ 202 [2134]. The word "eighteen" was stricken out and the word "twelve" inserted in lieu thereof.

§ 243 [2134]. The word "eighteen" was stricket out and "twelve" inserted in lieu thereof.

§ 244 [2176]. The word "eighteen" was stricken out and the word "twelve" inserted in lieu thereof.,'

§ 260 [2182]. The word "eighteen" was stricken out and "twelve" inserted in lieu thereof.

§ 267 [2199]. The word "eighteen" was stricken out and "twelve" inserted in lieu thereof. Both in caption and body of section.

§ 277 [2209]. The word "eighteen" was stricken out and "twelve" inserted in lieu thereof.

§ 301 [2233]. At the end of the section the following words were added: "and the court may require other evidence of the correctness and amount of the claim."

§ 306 [2238]. The word "nine" was stricken out and the word "six" inserted in lieu thereof.

§ 313 [2245]. The word "twelve" stricken out and the word "nine" inserted in lieu thereof.

§ 331 [2262]. The word "eighteen" stricken out and "twelve" inserted in lieu thereof.

§ 344 [2275]. The word "eighteen" stricken out and "twelve" inserted in lieu thereof.

§ 349 [2280]. The following words were stricken out: "nor can the judgment be revived against him except by suit on the judgment," and these words inserted in lieu thereof, "but such judgment may be revived against his personal representative by scire facias after the lapse of twelve months from the grant of letters; and sections 317 [2249], 318 [2250], 319 [2251] and 320 [2252] of this Code are applicable to such proceedings."

§ 447 [3636]. This section was amended by inserting after the word "clerk" wherever it occurs in this section, the words "register of judge of probate."

§ 521 [2932]. This section was amended by inserting after the word "due" the words "or to become due."

§ 563 [3002]. The word "eighteen" was stricken out and the word "twelve" inserted in lieu thereof.

§ 585 [865]. The words "or his partner" were inserted after the words "register in chancery."

§ 616 The words "any cause" were stricken out, and the words "other good cause" inserted in lieu thereof.

§ 641 [729]. This was amended so as to require the

sheriff of the county to certify the absence of the chancellor instead of, as formerly the register.

§ 642 [730]. The word "sheriff" was substituted for the word "register."

§ 647 [732]. The following words were added at the end of the section: "and women are elligible to fill such office (office of register in chancery).

§ 651 [736]. At the end of sub-division 7 the words "except as otherwise directed in this article," were stricken out and the following words substituted: "except as otherwise provided in this code or ordered by the chancellor."

§ 661 [747]. The words "or his deputy or partner" were inserted after the word "register" where it first occurs in the section.

§ 663 [3414]. Sub-division 3 of the Code of 1886 was reinstated in this Code.

§ 674. The words "as the court may deem just," were stricken out as written by the commissioner, and the following words inserted in lieu thereof: "as the evidence of such defendant taken up interrogatories."

§ 716 [3462]. The words "or other disability" were inserted after the word "death" in the first line.

§ 732. The words "but the chancellor may for good cause shown reduce such compensation," were added at the end of the section.

§ 739. The following words were added at the end of the section: "But the statement of the name of a witness and the page on which his testimony is noted is in all cases sufficient to call such testimony to the attention of the chancellor."

§ 747 [3489]. The word "twelve" was substituted for the word "eighteen" both in the title and body of the section.

§ 748 [3490]. The word "twelve" was substituted for the word "eighteen."

§ 753 [3495]. The word "twelve" was substituted for the word "eighteen."

§ 797. The words "of this State" following the words "any court" were stricken out, and the words "in this State" were inserted after the words "such property."

§ 814 [3546]. This section was amended by adding

at the end of the section the following words: "it is no objection to such bill that judgment creditors and creditors without liens or judgments, and the assignees of judgments or any two or more of them are joined as complainants therein."

§ 816 [3548]. This section was amended by adding at the end thereof the words "the provisions of this section apply to any bill filed under this article."

§ 822 [3588]. This section was made to conform to the act of November 26th, 1896, amendatory thereof.

§ 825 [2359]. The words after the words "such petition" in the were stricken out and the words "in sum" were inserted in lieu thereof.

The words "having the largest circulation" were also stricken out.

§ 829 (2363). All of this section after the words "in spection of the public" was stricken out.

§ 831 (2503). The following words were added at the end of the section: "who shall give bond in double the value of the estate, committed to him to be approved by the Register."

§ 833 (2504). The words "the preceding section" were stricken out and insert in lieu thereof the words "this article."

§ 919 (762). This section is amended by inserting after the word "constable" in the title and body of the section the words "or deputies" and also after the word "Circuit court" in the body of the section the words "and may on order of the court summon additional deputies."

§ 920 (763). Amended by inserting after the word "Constable" in title and body of section the words "or deputies."

§ 1060 (1869). The words three months were stricken out and the words "two months" were inserted in lieu thereof.

§ 1062. The words "three months" were stricken out and the words "two months" were inserted in lieu thereof.

§ 1095 (1533). The words "twenty-five thousand dollars" were stricken out and the words "one hundred thousand dollars" inserted in lieu thereof.

§ 1097 [1535]. Sub-division one was amended by striking out the words twenty years and inserting in lieu thereof the words "thirty years"; and sub-division seven was amended by striking out the following words "to buy and sell exchange and receive and pay out deposits."

§ 1119 [1556]. Amended by adding at the end of section the following: "Sub. 14. But no building and loan association doing business in this state, whether organized under the laws of this state or any other state or country, shall have power to make loans wherein or whereby the person to whom the money is lent shall be required in repaying the same to pay as interest or premium or both combined or any other charge in amount a sum exceeding twelve per cent. per annum upon the amount of principal due at that time.

§ 1124. Changed so as to read as follows: "Upon a forfeiture by a member of a building and loan association, who has borrowed money from such association upon real estate security, all payments made by such stockholder as principal, premium, expenses and interest or any of them on stock or loan shall be credited upon such loan and the stock shall be thereby cancelled; and a forfeiture by a shareholder who is a non-borrower, or who has borrowed money upon his stock alone without real estate security shall be treated as a withdrawal, and such shareholder shall be entitled to be credited with the then withdrawal value of his stock, and all charters heretofore granted, whether by special act or otherwise, are hereby amended so as to conform to the provisions of this article, and no by-law or contract shall be made in conflict herewith.

§ 1135 [1563]. Amended so as to include tunnels, underground passages and tramways.

§ 1159. That part of the Act of Feby. 18th, 1891, page 1086, omitted by the Commissioner as shown on page 24 of his report was restored on his suggestion.

§ 1344 [3666]. The words "city and criminal" were inserted after the words "clerks of the circuit."

§ 1345 [3667]. The words "city or criminal" were inserted after the word "circuit."

§ 1351 [3673]. The words "or city" were inserted

after the word "circuit," and the words "or city" were inserted after the words "or motion in the circuit."

§ 1354 [3676]. The words "city or criminal" were inserted after the word "circuit" in the first line.

§ 1360. The following words were added at the end of the section, "but the provisions of this section do not apply to allowances for ex-officio services."

§ 1362 [3682]. This section was amended by striking out the last two subdivisions beginning with the words, "except in Barbour County," and also the words "unless otherwise provided by law" were inserted after the words "per annum."

§ 1363 [3683]. The words "$3.00 but" were inserted in subdivision relating to register's commission for holding reference after the words "engaged therein." And the word "pay" was inserted after the word "days."

§ 1364 [3684]. The figure 4 was inserted in the last item of the fee bill in lieu of the figure 6.

§ 1363 [3683]. The following was added to this section: "For all entries on subpœna docket made in a cause, whether one or more of such entries, one fee of 50 cents." Also the following was added, "for all entries on commission docket made in a cause, whether one or more of such entries, one fee of 50 cents."

§ 1423 [919]. The section was amended so as to read as follows: "The judge of probate must, each year, without giving any notice or information thereof to the county treasurer, appoint an expert accountant, of known integrity to examine the books and vouchers of the county treasurer and report the condition of the same; and the person so appointed shall proceed without delay to make such examination and report, and to that end is invested with all the powers and authority conferred by law upon the examiner of public accounts. He shall receive such compensation as may be allowed by the court of county commissioners or board of revenue."

§ 1528 [2705]. The words "and of the use and occupation thereof" were inserted after the words "value of the land."

§ 1656. The words "or other person" were added to subdivision 1 of said section.

§ 1657. The words "or other person" were inserted

after the words "or board of supervisors" in the third line of said section.

§ 1686 [417]. After the words "five hundred dollars" in thirteenth line, the following words were added: "; and the judge of probate may from time to time as may seem just and proper, require additional or better security; but in no event shall such security exceed five hundred dollars and when such additional security shall be given and approved it shall supersede any bond theretofore given and shall stand as security for the entire costs of the contests."

§ 1700. The word "only" was inserted after the word "receptacles."

§ 1703 [3209]. All of said section after the word "decedent" which is as follows: "if the owner be a married woman notice must be served on her personally, or on her husband," was stricken out.

§ 1708 [3212]. The following words were added at the end of the section, "or the deposit of the same in court."

§ 1835 [2812]. The catch line was amended by striking out all of the words after the word "depositions," and inserting in lieu thereof the words, "when cannot be used." The body of the section was amended by inserting after the words "the cause for which it was taken" the words "or some other cause." And by striking out all of the section after the words "of unsound mind"; the words so stricken out being as follows: "or resides more than one hundred miles from the place of trial or reside out of or is absent from the State."

§ 2027 [2512]. The following words were added at the end of the section: "and every such levy is void as to such amount."

§ 2095 [2569]. The following words were added to the section: "and if such party is a married woman such waiver shall be executed only in the mode prescribed by section 2513 for the alienation of her lands."

§ 2152 [1745]. The following words were stricken out, "upon attachments, or judgments."

§ 2161 [2946]. After the words "personal property" in the twelfth line, all was stricken out, and in lieu thereof the following words were inserted: "or which is

the House.

Friday, January 8th.

Visited Coalburg, and thoroughly examined the prisons and one of mines, and a number of witnesses.

Saturday, January 9th.

Examined witnesses at headquarters, Morris hotel.

Sunday, 10th.

Visited the prison at Pratt City, going through all the prisons and examining a large number of convicts. In the afternoon attended the Sunday school at slope number 2, prison, at the invitation Mrs. R. D. Johnston.

Monday, 11th.

Made a second visit to Pratt mines, with the Mining committee, thoroughly examining the mines, going in at the shaft and coming out at No. 2 slope.

Tuesday, 12th.

Visited Speigner and examined prisons, farms and cotton mills and their equipment; in the evening went to the penitentiary, "The Walls," remained there Tuesday night and to 12 M. Wednesday, the 13th, in the afternoon when the committee visited number 4, known as the State farm. At both these places the committe examined prisons, condition of convicts, etc.

Thursday and Friday, 14th and 15th.

In Montgomery examining witnesses and discussing testimony and the report to be submitted. We made the minutes and most thorough investigation and observation that our ability and time permitted. We examined the following witnesses: Dr. E. A. Smith of the Geological chair of the State University, Mrs. R. D. Johnston, of Birmingham, Ala., who manages a Sunday

§ 2518. The words "or personal" were inserted between the words "real" and "property."

§ 2592 [1752.] The following words were added at the end of the section: "and when the principal and a higher rate of interest thereon than is prescribed by law have been paid, the excess over and above the principal and legal interest on such excess from the time of the completed payment, may be recovered by suit brought within one year from the time of such completed payment."

§ 2607. The words "provided in the next succeeding section" were stricken out, and the words "as the court may direct," were inserted in lieu thereof.

§ 2720 [3054.] The words "and for wharfage and dockage" were inserted after the words "from the owners thereof."

§ 2769 [2624.] The words "or a married woman," in the fifth line, and the words, "nor shall this exception extend to a married woman in respect to her separate estate," in the last two lines, were stricken out.

§2947. The words, "port charges and" were inserted between the words "to make known" and the words "the laws."

§ 2977 [1102]. The following words, "and until their successors are qualified," were stricken out.

§ 3046 [276]. The following words were added at the end of the section: "The provisions of this section apply to bonds of State, county, municipal and corporate officers; to bonds of executors, administrators, guardians, receivers, assignees and other trustees, and to all bonds and undertakings executed in the commencement or progress of any suit or judicial proceeding, civil or criminal."

§ 3108. The following words were added at the end of the section: "but this section shall not apply to oysters taken for the purpose of planting."

§ 3151 [3258]. The words "and disbursing" were stricken out.

§ 3245. The following words were added at the end of the section: "If the agent designated by such foreign corporation shall die, resign, remove from the State, or his authority shall cease from any cause, and no other

agent shall be designated by such foreign corporation, the service of process issuing against it may be made upon the Secretary of State, or, if the process be against an insurance company, upon the Auditor; and the officer serving such process upon the Secretary of State, or Auditor, as the case may be, must immediately transmit a copy thereof by mail to such corporation at its home office, and state such fact in his return."

§ 3261 [2673]. This section was amended so as to allow counts in trover to be joined with counts in trespass and case.

§ 3276 [2732]. The word "day" was inserted in lieu of the words "two days." Also, the words, "within the first three days" were stricken out, and the words, "by noon of the second day," were inserted in lieu thereof.

§ 3364. All between the words "shall be lettered and numbered," and the words "nor shall any volume be accepted or paid for until approved by the judges of the supreme court," were stricken out, and the following words were inserted in lieu thereof: "in the same manner as volume 110 of the Alabama Reports."

§ 3488 [1319]. After the words "twenty respectable householders and freeholders residing," and before the words, "within the corporate limits of the town or city," were inserted the following words: "and owning real estate."

§ 3721 [70]. The words "arising under the revenue laws," in the fifth line of this section, were stricken out.

§ 3815 [687]. The figures "480" were stricken out, and the figures "600" inserted in lieu thereof.

§ 3822 [694]. The word "six" was stricken out and the word "five" substituted therefor.

§ 3839 [711]. The words, "the reporter," were inserted after the words "attorney general."

§ 4166. After the words, "of money with which he is charged," the following words were inserted: "and the allowance of reasonable charges for the preparation of the deed of assignment;" also, the following words were added at the end of the section: "but upon application to the register by the assignee or any party in interest, such compensation of the assignee may be increased or

diminished by the register for good cause shown."

§ 4169. The following words were added at the end of the section: "but nothing herein contained shall prevent the assignee from exercising powers of sale or other powers conferred by the deed of assignment, unless specially restrained from so doing by an order made in writing by the chancellor and filed in court."

§ 4197 [3580]. After the words, "has removed to," in the fifth line, were inserted the words "or resides in."

§ 4141 [3008, 3013, 3368]. The following words were added at the end of the section: "and in the event the claimant delivers the property but fails to pay damages and costs within thirty days, execution must issue for such damages and costs only."

§ 4717 to 4726 of the Code of 1886 were reinserted in the Commissioner's Code, it being important that they should be retained in the laws.

§ 1156 [1583]. The word "actual" between the words "shall be paid" and the words "value for each," was stricken out, and the word "par" substituted therefor."

§ 1865 [80]. The following words were added at the end of the section: "and whenever in the judgment of the governor, the interests of the State require it, the governor is authorized to appoint special examiners, whose authority, duties and compensation shall be the same as the examiner of public accounts."

The committee have made the following change as to appeals to the supreme court:

SECTION ——. That the record for all appeals to the supreme court in civil cases shall hereafter be either printed or typewritten. Unless otherwise ordered by the attorney of record for the appellant, the clerk or register, or judge of probate, as the case may be, of the trial court, shall make up the transcript by printing the same upon the typewiter, in plain and legible type, and upon paper affording a full inch margin along the entire left-hand side of the transcript, and likewise a full two-inch margin at the top and one-inch margin at the bottom of each page of the transcript.

Paper of suitable size for standard-gauge typewriters shall be adopted by the clerk of the supreme court for

this purpose, and a sample thereof furnished each clerk and register and judge of probate in the State, and thereafter such paper shall be known as "supreme court transcript paper," and the clerks and registers must prepare all unprinted transcripts upon paper substantially identical with the sample furnished as above provided.

The same fees and compensation now allowed clerks and registers for making the written transcript for the supreme court, shall be allowed and collected by them for the typewritten transcripts herein provided for.

SECTION —. If the attorney for the appellant desires a printed transcript of the record for the supreme court in lieu of the typewritten one provided for in the last section, he may obtain such printed transcript in the following way: At the time of suing out the appeal he must in writing indicate his desire for a printed transcript for the supreme court, and accompany his request with the estimate of a reputable printer for the printing of said record and deposit the amount of said estimate with the clerk or register or judge of probate as the case may be, whereupon the clerk or register or judge of probate shall have the record printed instead of typewritten; said record to be printed on good paper and in good pamphlet form, not less than ten by seven inches in size, with not less than one-inch top, bottom and side margin, and in not smaller than long primer type. Said printing shall be under the control and direction of the clerk or register, or judge of probate and for such service he shall tax as his costs twenty cents per printed page in addition to the charges of the printer.

The charges of the printer shall be paid out of the deposit made by the appellant at the time of demanding a printed instead of a typewritten transcript.

SEC. —. The two foregoing sections are intended to take the place of all rules of practice now in existence and promulgated by the supreme court touching printed or typewritten abstracts of transcripts in that court. The intention of these sections being to furnish the supreme court in every civil case a typewritten or printed transcript of the entire record and thereby avoid the unnecessary expense of paying for both a transcript and an abstract of that transcript in cases appealed to the

supreme court. It is also intended by these sections to abolish the practice of requiring abstracts in civil cases appealed to the supreme court and to prohibit substitutes therefor by brief or otherwise. It is intended that all appeals in civil cases shall be heard and determined in the supreme court upon a typewritten transcript of the record in said cause.

SEC. —. On an appeal in civil cases to the supreme court the attorneys for each party may agree in writing as to what parts of the record shall be made the record in the cause in the supreme court, otherwise all of the papers now required by law to be made a part of the record shall be copied in the transcript and sent to the supreme court except that in all cases the appeal bond and certificate of the clerk or register or judge of probate shall be embodied in the transcript.

CRIMINAL CODE.

The following changes were made in the criminal code:

§ 4301 (3745). After the word "child" the following words were inserted: "under fourteen years of age."

§ 4313 (4515). The words "or other prosecuting officers or attorney" were stricken out.

§ 4315. The words "so far as applicable" were added at the end of the section.

§ 4381 (4844). The words "or city" were inserted after the word "circuit."

§ 4382 (4845). The words "or city" were inserted after the word "circuit."

§ 4563 (4872). Item 12 was changed by adding after the words "for each day," the words "if the average number of prisoners does not exceed ten;" and by adding at the end of the item the words "if the average number is more than ten, but does not exceed twenty-five, 25 cents. If the average number is more than twenty-five, 20 cents."

The figures "3.00" in item 8 were stricken out, and the following words inserted in lieu thereof: "for each juror summoned, 25 cents."

§ 4574 (4879). The words "for taking and approving each bond or undertaking 50 cents," were added as a new item at end of section.

§ 4657 [3795]. After the words "who embezzle or fraudulently converts to his own use" the following words were inserted: "or to the use of another." Also, after the words "secretes with intent to convert to his own use" the following words were inserted: "or to the use of another," in fifth line of said section.

§ 4668 [3807]. The words "superintendent, general manager or managing officer of any corporation" were inserted after the words "factor, brokes, attorney."

§ 4672. The words "a misdemeanor" were stricken out, and the words "a felony" were inserted in lieu thereof; and the words "must be fined not more than one thousand dollars" were stricken out and the following words inserted in lieu thereof: "must be imprisoned in the penitentiary for not less than one nor more than five years."

§ 4735 [3819]. The words "organized under the laws of this State" were stricken out.

§ 4798 [4061]. The words "may also be" and the comma after the word "dollars" in seventh line, stricken out.

§ 4800 [4063]. Changed so as to read as follows: "Any person operating or managing a billiard or pool table on which the public can play, whether for pay or not, who knowingly permits any minor to play thereon, must, on conviction, be fined not less than fifty dollars."

§ 4801 [4064]. The words "may also be" and the comma after the word "dollars" in seventh line, stricken out.

§ 5046 [3789] The words "hog, sheep, goat" were stricken out, and after the words "corn or cotton" in fourth line the following words were inserted: "of the value of five dollars or more;" also, the word "any" in fifth line were stricken out, and the word "the" inserted; also, after the word "value" the following words were inserted; "of five dollars or more" in fifth line of said section.

§ 5047 [3790]. The words "any part of an outstanding crop of corn or cotton; or" were inserted after

the words "who steals" in first line; also, the words "or any person who steals a registered dog" were inserted after the words "twenty-five dollars" in seventh line of said section.

§ 5199 [3910]. Entire section stricken out.

§ 5273 [4451]. Rewritten by the committee so as to remain as written in the code of 1886.

§ 5350 [4096]. The words "boy under eighteen years of age" stricken out, and the word "minor inserted in lieu thereof.

§ 5357 [4100]. After the words "on conviction" in second line from bottom, all stricken out; and the following words inserted in lieu thereof: "be punished, at the discretion of the jury, by death, or by imprisonment in the penitentiary for not less thanten years."

§ 5358 [4101]. All of said section after the words "on conviction" were stricken out, and the following words inserted in lieu thoreof: "be punished, at the discretion of the jury, by death, or by imprisonment in the penitentiary for not less than ten years."

§ 5438 [3636]. The word "life" stricken out, and the words "not less than ten years" inserted in lieu thereof.

§ 5440 [3738]. The word "ten" was stricken out, and the word "fourteen" inserted in lieu thereof; also, the word "life" was stricken out, and the words "not less than ten years" inserted in lieu thereof.

§ 5441 [3739]. The word "fourteen" substituted for the word "ten;" also, the words "not less than ten years," for the word "life."

The report was received, the committee discharged, and on motion of Mr. Hundley 300 copies of the accompanying report were ordered to be printed for the use of the senate.

Mr. Cunningham from a select joint committee submitted the following report:

To the Senate of Alabama:

I am instructed by the joint committee appointed to investigate the convict system of this State to submit

the following report,

And the committee respectfully ask to be discharged.

R. M. CUNNINGHAM,
Chairman.

The report was received, the committee discharged, and, on motion of Mr. Cunningham, 300 copies of the report were ordered to be printed for the use of the senate.

To the General Assembly of Alabama:

Your committee appointed under joint resolution 131 to investigate the convict system, beg leave to submit the following report:

Shortly after the committee was appointed an informal conference was had, at which Mr. Aubrey Harwell was elected clerk, and the sixth day of January, at the Morris hotel, in Birmingham, was fixed for the date to begin the investigation.

Mr. Wiley was unable to serve on the committee, and Mr. C. E. Waller was appointed in his place.

On the sixth day of January, at 12 M., the committee met in room 1 Morris hotel, Birmingham, Ala., all the committee being present. Mr. Cunningham was elected chairman of the joint committee, and the informal appointment of Mr. Harwell as clerk was ratified.

The committee decided upon the following points for investigation:

First. Humanitarian questions; (a) with reference to the hygiene of prisons, the treatment of convicts, i. e., food, clothing, medical attention, and hospital facilities, punishment and general treatment; (b) in reference to mortality and morbidity; (c) reformation.

Second. Financial or revenue questions; (a) the present and prospective revenue; (d) expenses and liabilities, court costs, fine and forfeiture fund of the counties, maintenance of convicts, embracing transportation, feeding, clothing, guarding, etc.; (c) the best system for the maintenance of revenue.

Third. Competition of convict labor; (a) with free minors and working classes generally; (b) with the in-

dustrial interests; (c) with the general business interest.

While the resolution provided to "send for persons and papers," no provision was made to execute the orders of the committee, nor was there any penalty for failure or refusal to obey. The committee, therefore, decided to request those whose testimony was desired, to appear before the committee, and give such testimony as the committee saw fit to use in making up their report. Also, to receive and examine all parties who were interested in any of the aspects of the convict problem, who voluntarily appeared before the committee. Previous public notice had been given of the time and place of meeting.

Letters of invitation, or request, were addressed to several parties, among others:

Moore, Moore & Handley, Birmingham, Ala.
May-Thomas Hardware Co., Birmingham, Ala.
Milner Kettig Co., Birmingham, Ala.
Sol Haas, Esq., President Sloss Iron and Steel Co.
G B. McCormack, General Manager Tennessee Coal and Iron Company.
Dr. C. Wilson.
Dr. W. H. Johnston.
Dr. E. H. Sholl.
Dr. T. L. Robertson.
Priestly Toulman.
Erskin Ramsey.
L. W. Johns, Blocton.

Copies of these letters are marked exhibit A.

The following is the general work of the committee.

Wednesday, January 6th.

Organization and examination of witnesses.

Thursday, January 7th.

The committee visited Brookwood, The Standard Coal Company's property, and Blue Creek, the property of the Tennessee Coal Iron and R. R. Company. Went into, and examined some of the mines at these points. This trip was by invitation of the Mining Committee of

the House.

Friday, January 8th.

Visited Coalburg, and thoroughly examined the prisons and one of mines, and a number of witnesses.

Saturday, January 9th.

Examined witnesses at headquarters, Morris hotel.

Sunday, 10th.

Visited the prison at Pratt City, going through all the prisons and examining a large number of convicts. In the afternoon attended the Sunday school at slope number 2, prison, at the invitation Mrs. R. D. Johnston.

Monday, 11th.

Made a second visit to Pratt mines, with the Mining committee, thoroughly examining the mines, going in at the shaft and coming out at No. 2 slope.

Tuesday, 12th.

Visited Speigner and examined prisons, farms and cotton mills and their equipment; in the evening went to the penitentiary, "The Walls," remained there Tuesday night and to 12 M. Wednesday, the 13th, in the afternoon when the committee visited number 4, known as the State farm. At both these places the committe examined prisons, condition of convicts, etc.

Thursday and Friday, 14th and 15th.

In Montgomery examining witnesses and discussing testimony and the report to be submitted. We made the minutes and most thorough investigation and observation that our ability and time permitted. We examined the following witnesses: Dr. E. A. Smith of the Geological chair of the State University, Mrs. R. D. Johnston, of Birmingham, Ala., who manages a Sunday

School at Slope Number 2, Pratt City.

Mrs. E. B. Spencer President of the Mercy Home, Birmingham, Messrs. W. H. Stanley, J. H. T. Moseley, and W. H. Clements, representing Union labor organizations.

Hon. James E. Webb, Lawyer, Hon. Willis G. Clarke, Trustee of the State University. George Barber and William Kirkpatrick, representing the mines, and were also summond to appear before the committee to testify as experts.

Maj. Joseph Hardie, J. T. Chalifoux, Merchant; Drs. W. H. Johnston, E. H. Sholl, T. L. Robinson J. W. Barclay, W. H. Wilder and G. W. Brown, all of whom were requested to appear before the committee; J. E. Cooke, sales agent for the Deer Creek Coal Co.; Joseph Squire, mining engineer; Dr. J. H. Phillips, Supt., of the Birmingham Public schools; several free miners at Brookwood; Mr. Paxton and Z. T. Boyd, at Coalburg; James Hillhouse, State Mine Inspector; Fred Jackson, Esq., Manager Standard Coal Company; Hon. R. H. Dawson, President of Board of Inspectors: Hon. J. W. Grayson, Inspector; Dr. Judson Davie, Physician Inspector; Dr. J. B. Judkin, State Physician at Penitentiary and Number 4; Mr. Lawson, Chief Clerk of the Board of Inspectors; Mr. Bozeman, Engineer of the State prison and Superintendant of the cotton mill: Dr. F. P. Lewis, Physician of the prisons, Sloss Iron and Steel Co.; and Dr. R. M. Cunningham, Physician for the prisons, for the Tennessee Coal and Iron Co.; besides the informal testimony of many citizens and convicts without being stenographically reported, by members of the committee.

This testimony we respectfully submit, marked exhibits "B," and "C," also a tabulated statement of the answers given by the probate judges in response to circular letter, marked exhibt "D".

1st, Humanitarian.

(a) General treatment of convicts.

The prison at Coalburg is not properly located, nor is

its architecture in keeping with modern hygienic principles. There are no stoves in the bathroom. Around the bottom of the dormitories there is a space about four inches wide, for ventilation, which should be closed, and additional windows cut for ventilation. The equipmeut of the prison is gocd; it is thoroughly clean; a good hospital. Convicts are well fed and clothed, and have good medical attention. No evidence of excessive punishment; the general treatmeut and management is good.

The prisons at Pratt City are well located, of proper archicture and of good appointment; they are thoroughly clean; convicts are well clothed and fed; there are splendid hospitals, and medical attention is good; their were no evidence of excessive punishment. The general treatment and managment is good; the officers of all the prisons (of Pratt and Coalburg), according to testimony of inspectors, obey the rules and regulations, and are reliable and trusworthy.

The Mines.

The mine visited at Coalburg is in good sanitary condition. We found the ventilation good and the mine well drained. The seam of coal is from two and one-half to three feet thick.

At Pratt Mines the convicts are worked in shaft No. 1 and slope No. 2; these mines are well ventilated and drained. The seam of coal is four feet six inches thick; the machinery and appointment of the mines are all first class and modern. The two mines are connected under ground by a tunnel; there are other places of escape from the mines. In shaft No. 1 there is some explosive gas.

The hygienic condition of all the State Prisons is first class. At Speigner and No. 4 there are no hospitals; convicts sick at No 4; are sent to the Walls; at Speigner one of the prisons is used for a hospital. The convicts are well fed, clothed, and good medical attention supplied them. The convicts are well treated in every particular; no evidence of excessive punishment or inhuman treatment in an form.

Work of Convicts.

Convicts at the mines are classed monthly by the Board of Inspectors; there is a task for each class. This task is not excessive for convicts suitable for mine work. The evidence shows that they are not worked beyond their task; still we find great inhumanity in the working of convicts in coal mines. This inhumanity consists in the assignment of convicts to coal mines, totally unfit for that work. This unfitness arise from many causes; some physically unable to do the work, owing to the natural want of muscular ability or other condition natural to individual convicts; for the want of skill and adaptability to mine work, and often to actual diseased or crippled condition. The testimony all shows that none but the best class of convicts should work in coal mines. Colonel Dawson says: "All boys under 18 and all men over 50, or better, 45 years of age, and about twenty-five per cent. of all men between the ages of 18 and 45, should not work in the mines." Mr. Grayson says: "About forty per cent. should work in the mines." Dr. Davie: "None but second and first class convicts." Dr. F. P. Lewis: "About fifty per cent." Dr. Cunningham: "About forty per cent. of the negroes and about sixty per cent. of the whites."

LOCATION OF CONVICTS

On January first, 1897, (see exhibit D) there were 1,810 State convicts and 788 county convicts, total, 2,598.

Of these there are at Pratt Mines, State and county,	1,117
At Coalburg,	609
Total at mines,	1,726

Or sixty-six and forty-one one-hundredths per cent. of the whole number. At the mines there are many who are worked on the outside, but most of them have been worked in mines and found wanting; there are, therefore, a large number worked in the mines wholly unfit

for the work. There is another feature on which we have some convict testimony; that the first and second class convicts often require of the third and fourth class men working in the room with them an equal amount of work. This is not generally true, but we have reason to believe that where first, second, third and fourth class convicts are worked together in the same room, there is not a distribution of the labor in accordance with the class and task of each convict, the higher class doing less and the lower class more than the regular task. Mining coal is hard work; it belongs to skilled labor. The miner in mines where the seam of coal is thin, always works in an unnatural position; the thinner the coal, the more difficulty in doing the work. He breathes air brought to him by artificial ventilation. If the ventilation is not good, there are the gases of oil combustion from the lamps, powder smoke, dynamite smoke, coal dust and often mine gases, "fire," "black" and "white" damps, as they are called. There is often more or less water. Usually there is more or less pushing the tram cars, loaded or unloaded, etc. In a word, it is hard work. No man can mine coal until experience teaches him how to do it; it therefore follows that unless unusual care is exercised in the selection of convicts suitable for mine work, and the selection of a mine in good sanitary condition, and care regulating their work after going in the mines, great inhumanity will be the result, and inhumanity not only resulting in unusual and cruel punishment, but often in death. "Healthy mines and healthy men to go in them," should be the motto.

On the plantations and other properties owned and operated by the State, we find no inhumanity in the working of convicts. On the contrary, we are of the opinion that these convicts are not worked to their ordinary capacity. We believe that some are excused from work who ought to be at work, and that most of them are not required to work at a normal speed. In this we think perhaps there is an over-humanity. These remarks have no reference to those actually sick, or to the permanently diseased or crippled, but those who are perfectly able to do good work on a plantation.

It should be remembered that a first class convict on a plantation might be a fourth class convict in the mines; or that a fourth class convict at the mines might be a first class convict on the plantation. It is humane to work a convict according to his condition, the nature of the work, etc., to the extent of his ordinary working capacity, whether in mines or on plantations; it is as inhumane to work any convict at any kind of work for which he is unfitted, as it is at a task to which he is unequal. We believe that a little more exaction upon convicts worked by the State and a little less exaction upon convicts hired to contractors, would increase the revenue derived from those worked by the State and increase the humanity in the management of those hired by the contractors. A hyper-humanity in the treatment of the former does not excuse the inhumanity in the treatment of the latter. The State is as clearly responsible for the one as the other. It is no excuse to say that on one hand the State is wholly responsible, and on the other that the responsibility is divided between the State and contractor. The responsibility of the State is to provide a system capable of being humanely administered; the responsibility of State officials is to see that this is done. The responsibility of the contractor begins and ends with obeying the rules and regulations adopted by the State. If he does this he certainly discharges his duty. He cannot keep any convict he wants, if the State wants him, and he cannot refuse any assigned him. Therefore, if there is any inhumanity in the working of convicts at the mines, either the system or its administration is to blame.

MORTALITY.

We submit below, for your comparison, the general mortality rate for Jefferson county; the rate, white and black; the rate for certain ages, white and black; the mortality rate of free miners during the last two years, and of convicts for two years.

General mortality rate, 8 to 11 per cent. per 1000.

Negro mortality rate, 18 to 25 per cent. per 1000.

White men from 18 to 50, 7 to 15 per cent. per 1000.

Negro men from 18 to 50, 20 to 27 per cent. per 1000.
White free miners, 10 to 11 per cent. per 1000.
Negro free miners, 20 to 25 per cent. per 1000.
Convicts at Coalburg, 107.35 per cent. per 1000.
Convicts at Pratt Mines, 85.60 per cent. per 1000.

The mortality rate of the general population is taken from the testimony of Dr. E. H. Sholl, who has made, he says, in his testimony, a special study of vital statistics. The mortality of miners is taken from the testimony of Dr. J. W. Barclay, health officer of Jefferson county. The rate of free miners was determined by the testimony of Mr. Hillhouse, State mine inspector, who submitted his last report. The rate for convicts is taken from the reports of Dr. Lewis, of the Coalburg prison, and Dr. Cunningham of the Pratt Mines prisons. The period covered is from September 1st, 1894, to August 31st, 1896.

This mortality for convicts is so far in excess of that given for the general population and for free miners, being about ten times greater than white, and about four times greater than negro miners, that it at once challenges the attention.

We submit in this connection the following statistics:

1st. Mortality of State Convicts since 1869.

From 1869 to 1875, 6 years, 16.43 per cent. per annum.
From 1875 to 1878, 3 years, 5.17 per cent. per annum.
From 1878 to 1884, 6 years, 5.17 per cent. per annum.
1884 to 1890, 6 years, 4.86 per cent. per annum.
1890 to 1896, 6 years, 6.14 per cent. per annum.

2d. Mortality of State convicts for biennial periods.

1890 and 1892, 5.25 per cent. per annum.
1892 and 1894, 6.12 per cent. per annum.
1894 and 1896, 7.07 per cent. per annum.

3d. Deaths of county convicts since March 1st, 1883.

Deaths at mines	810
Elsewhere	83
Total	893

4th. Deaths among State convicts from October 1st, 1882, to September 1st, 1896.

Deaths at mines	575
Elsewhere	232
Total	807
Total deaths State and county mines	1385
Elsewhere	315
	1700

The remarkable reduction in the mortality since 1875 is apparent; still it is far in excess of the normal limits. It will be noticed that there was an increase during the last six year period, and also for each biennial period of the six years.

To ascertain the cause of this mortality has been the object of our sincerest efforts. To attribute it to the mines per se would be folly, in view of the light mortality rate of free miners, white and black. Notwithstanding, much the greater mortality has been at the mines.

In studying this question we must know something of the general character of our convict population. We submit the following:

1st. About 85 per cent. are negroes.

2d. About 75 per cent. are farm laborers.

3d. From 25 to 30 per cent. are under 20 years of age.

From 40 to 42 per cent. are between 20 and 30 years of age.

From 13 to 16 per cent. are between 30 and 40 years of age.

From 5 to 6 per cent. are between 40 and 50 years of age.

Therefore only about 64 per cent. are between the ages 20 and 50 years.

4th. That the average time in jail is about two to four months.

5th. About 25 per cent. only, have fine muscular development.

6th. About 20 per cent. (Dr. Lewis), or 25 per cent. (Cunningham), are actually afflicted with some organic or functional disease when received from jails.

7th. That when convicts have been regularly examined, when received from the jail, a doubtful prognosis was made in about twenty-five per cent. of the whole number.

Therefore we conclude, to start with, our convict population is below the average.

Causes of Death.

1st. About three-fourths to one per cent. of convicts worked in the mines die from violence, accidental homicide and suicide; of the total mortality, violence is the cause of death from 8 to 10 per cent.

2d. Of the whole mortality, tuberculosis was the cause of death as follows, during the periods named, to-wit:

For twenty years, ending October 1st, 1889, 19.33 per cent.

For two years, ending October 1st, 1892, 44 per cent.

For two years, ending October 1st, 1894, 30.78 per cent.

For two years, ending October 1st, 1896, 56.17 per cent.

For the last two years, of those dying from disease:

State convicts.....60.93
County convicts.....47.33
State and county convicts.....55.20

The remarkable increase in tuberculosis during the last few years, since 1889, will be noticed. Violence and tuberculosis, therefore, explain the enormous death rate. From the testimony we submit the following relative to tuberculosis:

First. It is caused by a specific bacterum, known as the bacillus tuberculosis, which is a rod shaped bacillus about one five-thousandth of an inch in length, and about one-fifth or one-sixth its length in thickness.

Second. It multiplies only in living animals, especial-

ly in the human being.

Third. It is discharged from the body of tubercular subjects in the sputum or other discharges from tubercular tissues.

Fourth. That it will live for a considerable time on the outside of the body, when not exposed to the sun, which kills it.

Fifth. That it may be introduced into the body of animals or man through the medium of the atmosphere, by eating the meat or drinking the milk of tubercular animals.

Sixth. That a person with tuberculosis may infect a room with the sputum expectorated, and that persons exposed to this infection may contract the disease.

Seventh. That heredity, debilitated conditions, from whatever cause, catarrhal affections, etc., predispose to tuberculosis.

Eighth. That the negro race is especially predisposed to the disease.

Ninth. That damp, dark places, overcrowding, overwork, bad food, etc., predispose to the disease.

Tenth. That bad hygienic condition may cause a strictly localized tuberculosis to spread or to produce general infection.

Eleventh. That it may be prevented by isolating tubercular subjects.

Twelfth. That the treatment is open air, moderate exercise, good food, proper clothing, etc.

Thirteenth. That coal mines predispose to tuberculosis, and that no tubercular subject should work in a coal mine.

Fourteenth. That tuberculosis, under favorable circumstances, is sometimes cured.

Fifteenth. That tuberculosis is the process of cell formation, consisting of giant lymphoid and epithelial cells, which form small tubercles from the size of a pin point to the size of a pin head, known as gray tubercles; these in turn coalesce, forming larger tubercles; that there is death of the cells by the process known as caseation or cheesy formation. That these smaller nodules unite and form larger masses, from the size of a pea to a hen's egg, that these masses undergo sclerosis calefica-

tion or break down and form cavities; that the process may be local or general; and that it may affect any organ of the body.

There are certain other facts of importance, to-wit:

First. That the mortality is from two to three times greater among the negroes, that the ratio of white to black is about one to five and a half, while the ratio of death from disease is about one to fifteen or twenty.

Second. That the greatest mortality is among those recently received.

Third. That the greatest mortality is among the fourth and third class convicts.

A study of the public reports will show a large preponderance of chest diseases. Pleurisy at the mines is a very common affection, the majority of the cases being tubercular or becoming so before a cure is effected, or as a sequel. Croupus pneumonia has also played an important role in the mortality, but has decreased the last two years. We attribute this mortality to the following: First, to the more or less bad physical condition of a large per centage of the convicts. Second, to the effects of bad conditions while in jail. Third, to the undoubted fact that the mortality of convicts under any circumstances will be greater than the same classes who are free. Fourth, failure to allow convicts to recover from the effects of jail confinement before assigning to mines. Fifth, failure to select only the best men to work in mines. Sixth, failure to remove those from the mines unsuited for mine labor. Seventh, the indiscriminate mixing of tubercular subjects with the prison population. Eighth, failure to supply the proper hygienic treatment in cases of tuberculosis.

Reformation.

Criminals may be divided into two general classes, to-wit: The criminal by nature, or the criminal by accident or occasion. Some are natural born criminals; for these there is little hope for reformation. Some are criminals from occasion or environment; for these, once a criminal, does not necessarily mean always a criminal. The testimony is divided as to the degree of the respon-

sibility of a criminal; all agree that there is a measure of irresponsibility which should be taken into consideration in criminal administration. The natural criminal undoubtedly belongs to abnormal man; these are incorrigibles, and for these there is but little hope. They are criminals wholly from natural causes, modified, no doubt, by sociological conditions. We should also remember that sometimes innocent men get in prison. Finally, in Alabama the sentencing for costs no doubt plays an important part in the number of convicts, but not necessarily in the number of criminals, especially county convicts.

The testimony shows that efforts at reformation, even under existing conditions, have been attended by good results. Such is the testimony of Mrs. Johnston, Major Hardie and others.

We believe that the State should make an honest effort at the reformation of convicts, as follows:

First. By separation of the young and old convicts.

Second, By the separation of misdemeanants from felons.

Third. By thoroughly humane management.

Fourth. By practical moral education.

Fifth. By a system of rewards for good conduct, and by paroling, thus allowing some hope.

Revenue.

The net revenue of the State convict system for eight years ending September 30th, 1892, was as follows:

By balance in treasury,	Sept.	30th, 1885	$44,697 07
"	"	30th, 1886	31,067 45
"	"	30th, 1887	9,120 25
"	"	30th, 1888	7,930 70
"	"	30th, 1889	29,328 66
"	"	30th, 1890	34,887 93
"	"	30th, 1891	43,827 42
"	"	30th, 1892	38,226 39
Total.....			$239,085 88

Average per annum, $29,760.73.

This money was paid into the general fund.

Earnings and disbursements for four years ending 1896:

Receipts from hire of convicts	$510,655 92
Receipts from other sources	35,886 11
*Receipts from all sources	$546,542 03
Disbursements and expenses	$493,617 65
Net earnings, in excess of disbursements	52,924 38
Property acquired in last four years:	
By cash paid for real estate	48,910 04
By cash paid for live stock	12,485 85
*Of the receipts from the hire of convicts the T. C., I. & R. R. Co. paid $471,636.06.	
By cash paid for implements and tools	9,957 66
Houseware and furniture	1,673 05
Bedding	4,294 60
Total	$15,925 31
Estimated value now at one-half	7,962 66
Estimated value now of clothing and shoes	4,000 00
Estimated value, hospital stores	1,000 00
Estimated value now sundry articles	1,000 00
Total profit four years	$184,450 47
Average per annum	46,112 34
Increase per annum	16,351 61

From this it will be observed that the convict system during the last four years has realized more per annum than in the preceding eight years. The convict management has appropriated in cash $131,526.09 in the purchase of lands, building prisons, houses, etc., and in their equipment, and a cotton factory. From this is deducted $7,962.62, representing the loss as measured by present value in implements, tools, furniture and bedding—see exhibit "B." Up to 1892, the money was paid into the treasury, and was available for all purposes. Since there has been a special account of the convict earnings, and it has been the object of the State to permanently settle the convict problem by providing the means to employ and work the convicts on State account, a great deal has been accomplished in this direction. The State now owes $4,647.27 on cotton machin

ery. The present convict system then is not only self-sustaining, but there has been a large surplus besides.

Disbursements and Expenses.

For year ending September 30,			1885.....	$ 7,245 60
"	"	"	1886.....	17,632 98
"	"	"	1887.....	25,527 97
"	"	"	1888.....	29,951 30
"	"	"	1889.....	51,721 10
"	"	"	1890.....	64,656 25
"	"	"	1891.....	73,986 61
"	"	"	1892.....	79,948 65
Total for the eight years.....				$350,770 47
Average per annum.....				$ 43,846 30
From Septer 30, 1892, to August 31, 1896...				493,617 65
Average per annum.....				123,404 41

It will be observed that there have been constantly increasing disbursement and expense since 1885 to the present time; notwithstanding, the net annual earnings for the last four years exceeded $16,351.61 of that of the preceding eight years.

It is impossible to give a synopsis of the items of expense in a report like this; but we call attention to the following:

Court costs bills for year ending			Sept. 30, 1885	None.
"	"	"	1886	$ 3,104 06
"	"	"	1887	7,396 54
"	"	"	1888	3,543 60
"	"	"	1889	16,873 51
"	"	"	1890	27,347 00
"	"	"	1891	26,006 70
"	"	"	1892	25,899 92
"	"	"	1893	34,443 83
"	"	"	1894	34,377 07
"	"	"	1895	32,087 70
"	"	"	1896	22,026 59

Competition With Free Labor.

If convicts were reliable and good working men prior

to their conviction, then their work as convicts would not add to their aggregate of labor products; but such is not the case. There can be no question that convicts produce more after than before conviction; the total production of the criminal classes is much greater after conviction than before; were it otherwise, there would be very little crime, and, consequently, very few convicts. Convicts ought to be required to work, not as a punishment, for proper and ordinary labor is not a punishment, but as a means of reformation, self-maintenance and as far as possible consistent with strict humanity, a source of revenue. Convicts should at least be self-sustaining. The interest of the tax payer must not be disregarded; equally so the interest of free labor; the industrial interest and of the general community must be regarded. The principle which should govern is this: a fair, just and equitable distribution of competition of convict labor, with all classes, business and communities. The State has no right to violate this fundamental principle. All our citizens are equal before the law, and none, therefore, should bear an unjust, unfair and disproportionate share of government burdens. Concentration of convict labor in competition with one class of citizens is therefore imposing upon that class, unjust and additional burdens. The majority has no right to exact from the minority a tribute to the welfare or to protect the interest of the majority. Criminal administration is expensive and the care of criminals is a perplexing problem, and usually a burden that should be fairly and equitably distributed. Therefore, the competition of convict with free labor should be fairly and equitably distributed. The principles upon which this distribution rests are:

First. The assignment of convicts to work after conviction in accordance with their occupation before conviction, or the general class with which they are identified in business, as nearly as can be done without sacrificing good discipline and management.

Second. Distribution of labor and diversity of employment.

We call attention to the following facts:

According to the report of State Mine Inspector Hill-

house, there were engaged in Alabama as miners, inside and outside day men, in the year 1895, 9,766 employees; of these he assigns to the convict mines the following:

Pratt Mines—		
Shaft Number 1		405
Slope Number 2		405
Coalburg—		
Numbers 3 and 4	401	
One-half of the latter convicts		200
Number 9		283
Total convicts		1,293

Or 13.23 per cent. of the whole number are convicts. In Jefferson county the whole number was 4,936, of which 1,293, or 25.99, are convicts. Judging from the whole number of convicts in Jefferson county to-day, employed in mining coal and at work incident to mining, not less than 15 per cent. of mine workers of the State of Alabama are convicts. Of these the white miners of the State have not furnished a single State convict, and we only have evidence of about five who have been sentenced to hard labor for the county. It therefore appears that one class of our fellow-citizens, from whom are derived, practically, no convicts, are brought into competition with about 65 per cent. of the convict labor of the State, or to the extent of about 15 per cent. of the mining population. The testimony shows the following:

First. That the laboring classes generally in the mining district are opposed to the present convict system, because of this unequal burden.

Second. That the miners regard it as a great hardship, to them especially.

Third. That when coal is short in sales, the convicts continue their usual output while the free miners are stopped.

Fourth. That about ten per cent. of the total output of coal is mined by convicts.

Fifth. That the general business interests of Jefferson county unjustly suffer.

Sixth. That the free miners and laboring classes

generally, would be satisfied with a fair distribution of the competition of convicts with free labor.

Seventh. That the mine operators so far as we could learn favor the present system. "We find," says our only witness among the operators, "that they are a benfit in case of strikes." This witness also says, "I am satisfied with the present convict system." He also says "I believe that convict labor does not effect free labor, on the other hand it has been a blessing to free labor in this country." He further says, "I think the convict system is injurious to employers of convicts, for in case of low price of coal they are compelled to sell coal at any price to keep going, regardless of cost, they possibly enable a contractor to make better contracts."

Several mine operators were invited to appear before your committee, but only one came. The conclusion, therefore, is, that the mine operators of the district, who do not employ convicts, are satisfied with the present system. In the opinion of your committee, the convict system is unjust and unfair to the mineral district of the State and to the free miners especially."

The Present Situation of the Convict System.

On January 1st, 1897,

1810 State Convicts.

788 County Convicts: Total 2598.

Of the State convicts, 757 are under the management of the State and work on the State account; 985 are hired by the Tennessee Coal and Iron Co., and 68 to Milner, Caldwell & Flowers at Bolling. Since that time about fifty have been hired to Walter Bros., to work on the farm; some of them were taken from the Tenn. C. & I. Co., and from those managed by the State.

Those under the exclusive control of the State were distributed as follows:

Prison Number One (Walls) 196.

Prisons Numbers Two and Three, Speigner's, 393.

Prison Number Four, State Farm, 168.

Since January 1st, the women have been transferred from Prison Number One to Speigner's.

The State Property.

The property consists of lands, prisons and their equipment, farm equipment, stock, implements, etc., and one cotton factory.

Lands near Wetumpka, 764.50 acres,
Speigner's, 4,175.65 acres,
Tallapoosa River, 2,000 acres. Total 6,936.15 acres.

Quality of Lands.

The lands at Wetumpka and Speigner's are poor, or third rate. Of that near Wetumpka about half is fit for cultivation. Of the other a very small portion is level. At Speigner's the land is a little rolling, except the creek bottom, of which there is about 1000 acres, mostly in inferior timber. On some of these lands there are about three million feet of good pine timber, There are in cultivation about 1,700 acres by convicts, 300 acres rented; about two hundred acres in old fields, the balance in woods. Without fertilizer this land will produce from three hundred to four hundred pounds of seed cotton or from five to ten bushels of corn.

Tallapoosa River Place No. 4 is liable to overflow, so said, about once in ten years. This is splendid land for the production of corn. About one-third is first rate land, open for cultivation. About one hundred acres of this quality can be added. One-third is second grade river lands, badly washed; the remainder is in sloughs, and too badly washed for cultivation. Recently two hundred acres have been cleared. The general equipment of this property is first-class. The prisons are well built, well located and in good sanitary condition. Stock, farm implements, etc., are of the best. The mules at Speigner's are not in as good condition as at No. 4. The prisons are all well watered; at No. 1 from a spring; at No. 2 and 3 from Mortor Creek; at No. 4 a splendid artesian well. Very little more money and labor need be spent in further improvements. We note the following:

During the two years ending August 31st, 1894, there was spent for improvements $38,913.48 (report, page

22nd and 23rd); in improvement last two years, $33,-231.50 (report 1896, page 15); making a total in four years of $72,144.93. At Speigner's there have been built the following splendid houses: The Mechanic's house, $2,200; State Physician's house, $2,750; Warden's home, $2,100. For the description of these lands we are indebted to Mr. J. E. Bozeman, Engineer. Mr. Bozeman has drawed maps of the entire property, and has monumented all the lands.

The Cotton Factory.

This is at Speigner's, near Prison No. 2. It is a magnificent plant. The location, situation and architecture are of the best; the machinery all new and strictly first-class. It was planned by Mr. John Hill, of Columbus, Ga., and Mr. J, E. Bozeman superintended its building. Capacity, 5,000 spindles and 150 looms; present capacity, 3,328 spindles and 100 looms, capacity of engine and shafting, 200 to 275 horse power. The minimum, 200 horse power, is sufficient to run full capacity of 5,000 spindles and 150 looms.

Cash cost about $66,000 (Mr. Hill); total cost, labor at $9 per month, $72,000 (Mr. Bozeman).

Cost to complete capacity of mill, to-wit: 1,672 spindles and 50 looms, about $22,000; no cost of buying anything but the machinery; power, shafting, room, etc., all provided and complete now. It will be observed that after providing sufficient power for entire capacity there will be about 75 horse power surplus.

Process of Manufacture.

First. Operator puts an armful of cotton in box, and self-feeder to opener takes it and runs through opener and winds into laps and rolls of cotton.

Second. Four of these laps or rolls are put on a feed table to the intermediate lapper, which evens it, doubles it four times and rolls it into another lap.

Third. Operator takes four of these laps and puts them on the finishing lapper, which doubles these four into one and produces a lap at the other end of the ma-

chine. "The skill required for this process is to put the cotton in at one end and take it away from the other."

Fourth. Finisher lap put to rear of each carder; carder does the rest, coils the cotton, well carded, in tin cans. Skill required: "Operator lays the lap into cards and takes the cards away."

Fifth. Six of these cans are put to each delivery of the machinery, and become six into one, and delivered into tin cans.

Sixth. Same as fifth.

Seventh. Same as sixth.

Eighth. One of the cans from sixth process is placed back of each spindle of a slubber, stock goes through machine, which winds and bobbins, etc.

Skill required, "Attendant keeps the cans of stock at machinery, and ties a broken thread."

Ninth. Two of the slubber bobbins put into a creel; skill required to supply bobbins and take product away.

Tenth. One bobbin for ninth process is put on spinning frame; 208 bobbins for 208 spindles; skill required, "twelve to fourteen year-old children usually attend spinning frames and do all the work of the tenth process."

Eleventh. Spooling the yarns from spinning bobbins into spools; skill required, "work usually done by youths and requires little more skill than to tie a knot."

Twelfth. Warping. One hand usually does the warping of the mills.

Thirteenth. Slashing. Taking the large beams from the warper, and putting them through sizing of starch and drying, and then putting the yarn in the loom beam for weaving; skill required, "this requires more experience than either of the previous processes, so for as the operator himself is concerned, but quite ordinary intelligence soon enables one to run the slasher."

Fourteenth. Drawing the end of the wraps through loom harness' eyes; skill required, "twelve to fourteen years old children can do this."

Fifteenth. Threading the loom reed. "Same skill

as harness."

Sixteenth. Weaving and making into cloth; skill required, "the weaver has to have more experience than the operators in any other process, but no great intelligence is required. Any one with medium intelligence can soon become a weaver on plain white cloth."

Seventeenth. Cloth is passed through brusher, "no skill required."

Eighteenth. Folding and measuring by the folder; "the operator puts the cloth in the machine, takes it away and marks goods."

Nineteenth. Bailing for sale. This completes the process. The Committee is indebted to Mr. John Hill for the above description of processes. The quotations are Mr. Hill's own words. He says further:

"Observation of the mill operatives will show that the machinery is largely automatic and the machines do the work, and the operative simply feeds and takes away. In some of the processes the operative has some work further than referred to, but any very moderate intelligence will enable any operator to become a good mill operative, in such as at Speigner's."

In this opinion your committee fully concurs, and we have no doubt that the convicts have all the intelligence required and will soon acquire skillful dexterity.

Cost and Profits.

About one-half the cost of cloth is the cotton, and the other half labor and other expenses. If cotton were 7 cents per pound, cloth would be worth 15 cents per pound. The labor cost alone in such mills as Speigner's is about thirty to thirty-five per cent. of the whole. On an average the operatives in cotton factories earn from 90 cents to $1.00 per day, or twenty-two to twenty-six dollars per month. If, therefore, these convicts working in cotton mills can do as much as free labor, they would be worth from 90 cents to $1.00 per day. Estimating their intelligence and skill at three-fourth of ordinary mill operatives, they will therefore earn from fifteen to twenty dollars per month. These figures are furnished by Mr. Hill. The maintenance of these con-

victs will not exceed $7.50 per month. Therefore there ought to be a profit of at least from $6.00 to $10.00 per month. This takes into consideration no profit on cloth whatever; simply the labor cost and maintenance.

Convicts at Work in Cotton Mill.

Mr. Bozeman, the superintendent, says: "We now employ 90 convicts in factory, of which 33 are women, 25 boys under twenty years of age, and 10 men over sixty years of age. The following free labor is employed besides the Superintendent; an engineer, two foremen and seven experienced operators. After about two months will have only one machinist and two foremen. The payroll of the cotton department for December was $406.00; the estimated capacity of the mill is five bales of colton, or seventy-five hundred yards per day of twelve hours. We are of the opinion that with ordinary business management, the mill will be a great sucess.

The property owned and operated by the State is in splendid condition and equipment, and with good business management and more exaction of labor from convicts, which can be done without inhumanity, can be not only self sustaining, but operated at a profit. The record of the last 2 years shows this.

Condition of Convicts Managed by the State.

On the 13th day of January there were 134 at Prison Number 1, or the Walls; of these, 13 were classified as dead heads, twenty-seven were in the hospital, the remainder assigned to sundry duties about the prison and at regular work. We believe that many of these could do good work on plantation. At Speigner's the convicts were in good condition and very few on the sick list. At Number 4 we did not see the convicts, but all were up and at work. There is no question but at least seventy-five per cent. of these convicts can do fairly good work on plantation and in the cotton mills. At the Walls, nine men in the shoe shop, four of them are one legged and one walks on his knees from old paralysis; their task is two pairs of shoes each; the material is put at 80

cents and the value of the shoes at $1.00; therefore these cripples are earning 40 cents per day, or $10.40 per month.

Convicts Hired to Contractors.

To the Tennessee Coal, Iron & Railroad Co.—
1st Class, 193; price per month, $18.50.
2d Class, 280; price per month, $13.50.
3d Class, 309; price per month, $9.00.
4th Class, 126; price per month, maintenance.
$11 Class, 37; price per month, $11.00.
Remainder to saw mills and farms at three and four dollars respectively.

County Convicts.

On December 28th, a circular letter containing the following interrogatories was mailed to the various probate judges of the State. We have heard from the probate judges of the following counties, to-wit:

Autauga, Bullock, Covington, Conecuh, Coffee Calhoun, Chambers, Coosa, Clay, Chilton, Dale, Dallas, Escambia, Elmore, Franklin, Fayette, Greene, Geneva, Henry, Hale, Jackson, Jefferson, Limestone, Lee, Lowndes, Marion, Montgomery, Marengo, Mobile, Pike, Perry, Sumter, Talladega, Walker, Washington, Wilcox and Winston; total, 38.

We give the interrogatories and the average of the answers given by the counties. For particulars of each county, see "Exhibit D."

Circular Letter

Q. 1. "What was the price paid per capita per month for the hire of the county convicts sentenced to hard labor for county for the following years: 1886, 1887, 1888, 1889, 1890, 1891, 1892, 1893, 1894, 1895, 1896, 1897?"

Ans. 1886, $8.50; 1887, $8.50; 1888, $9.00; 1889, $9.30; 1890, $8.75; 1891, $9.00; 1892, $8.33; 1893, $8.00; 1894, $7.33; 1895, $6.10; 1896, $5.75.

Q. 2. "What is the price per capita contracted to be paid in the year 1897?"

Ans. $5.75.

Q. 3. "How are your convicts hired, per capita or per classification? If the latter, what price per class, and what is the average number of each class, and the average price per capita?"

Ans. Per capita, 31; per Classification, 7.

Q. 4. "To whom are your convicts hired?"

Ans. Mine operators, 28; mill men and farmers, 10.

Q. 5. "At what kind of work are they employed?"

Ans. Mining, 28; other work, 10.

Q. 6. "Do mine operators bid against each other for the hire of your county convicts; if so, what operators?"

Ans. Unimously no.

Q. 7. "Is there any competition for the hire of your county convicts among farmers, mill men or other parties?"

Ans. Yes, 3; no, 34; very little, 1.

Q. 8. "What proportion or per centage of court costs allowable under the law is paid?"

Ans. 64 per cent.

Q. 9. "After paying cost, are there any surplus earnings; if so, how much per month or per annum?"

Ans. Not reporting, 9; nothing, 13; the remainder, $7,450.

Q. 10. "What disposition do you make of the surplus earnings?"

Ans. Fine and forfeiture fund, 27; general fund, 2; not stated, 9.

Q. 11. "What is the amount earned by your county convicts during the year 1896, over and above costs?"

Ans. Nothing, 17; not stated, 6; remainder total $19,601.16.

Q. 12. "What is the proportion of cash to the credit of your fine and forfeiture fund to the claims against said fund?"

Ans. Nothing, 14; not stated, 13; remainder average 16.12 per cent.

For remarks of judges, see "Exhibit D."

These answers establish the following facts:—

First. The great decline in the price of county con-

victs.

Second. That about three-fourths are employed in mines.

Third. That there is absolutely no competition among mine operators for county convicts.

Fourth. That there is very little competition from any other source.

Fifth. That less than two-thirds the cost allowable under the law is paid.

Sixth. That only a few counties have anything left for their fine and forfeiture funds, after paying 2 per cent. of the court costs.

NOTE.—The following counties report costs paid in full: Covington, Conecuh, Cullman, Montgomery, Perry, Talladega; Jefferson for all hired at $9.00 per month and 50 per cent. for the remainder.

The counties reporting surplus earnings in 1896, with the amount of each are as follows: Autauga, $300; Bullock, $167.60; Cullman, $67.97; Dale, $50; Perry, $100; Hale, $1,440.89; Jackson $156.80; Lowndes, $1,200; Montgomery, $1.524.99; Perry, $98.46; Sumter, $1,386; Talladega, $909.23; Tallapoosa, $300.00; Lee, $200.00; Jefferson, $12,000; total $19,691. Subtracting earnings of Jefferson, we have $7,601.16 for the other thirty-seven counties, except Mobile. In this calculation Mobile is not included. We received from Probate Judge Williams a most elaborate statement, which we append to "Exhibit D." Mobile is in the general estimate to the question concerning the costs.

The Convict Problem.

"Criminal Jurisprudence takes into consideration all criminal laws and the underlying principles." "Penology treats of the principle, degrees and methods of punishment."

There are many things in the criminal laws of Alabama not in accord with correct principles of criminal jurisprudence, but with this your committee has nothing to do. We begin with the convict after conviction, as we find him at the jail.

The true principle upon which the solution of the problem should rest is Humanity, in its broadest sense,

just and proper punishment according to crime, financial considerations, and the regulation of the competition with free labor. In Alabama we have two systems, State and County. Under existing conditions the following sums up the situation: First, in the matter of general treatment, convicts are humanely treated; great inhumanity in the working of convicts and an outrageous, disgraceful mortality; no effort at reformation.

Second. The revenues derived from State convicts sufficient to pay all costs of conviction, maintenance and a splendid profit. The revenue derived from county convicts not sufficient to pay costs, and with few exceptions little profits to go into the fine and forfeiture fund.

Third. An unjust, unequal and wrongful competition of convict labor with the coal miners.

There are, therefore, only two things to commend our present system, to-wit: First the general humane treatment of convicts. Second, the revenues derived from State convicts. The following are the most flagrant failures, which demand correction: First, the excessive mortality; failure to pay cost of conviction of county convict labor.

The first and last can be effectually corrected by the limitation of convicts to work in mines; say 25 per cent. of the State and county convicts, consisting of the very best convicts physically and who have no organic or serious fuctional disease, or any injury, men only, and sentenced for not less than one year, and between the ages of twenty and fifty years; provided that all convicts assigned to mines shall have previously recovered from the effects of jail confinement. The second evil can be corrected by the abolition of the county convict system and making the convict fund responsible for costs, as is now the case for State convicts.

We therefore recommend that the county convicts system be abolished, and all convicts sentenced to hard labor be committed to the penitentiary, 75 per cent., and not more than 25 per cent. be permitted to work incident to mining; or that county convicts be prohibited from working in coal mines, and not more than 40 per cent. of the State convicts be permitted to work in mines, or at work incident to mining. If the latter is adopted all

felons should be sentenced to the State, and misdemeanors only to hard labor for the county with no limit under 10 years as to number to be hired. The following is the per centage of county convicts convicted for respective periods:

12 months and under, 28 per cent.; one to two years 40 per cent.; over two years 32 per cent.

To maintain the revenue is the real problem. The contract with the Tenn. Coal and Iron Company will expire on January 1st, 1898; this contract was made in 1888. Hon R. H. Dawson, in his testimony says that this was the "best contract the State ever had or ever will have;" in this opinion your committee fully concurs and for the following reasons, to-wit: First, the selling price of pig iron since contract was made has been reduced from one-third to one-half; second, the selling price of coal almost as greatly reduced; third, a great surplus of free miners; fourth, a large increase in the number of convicts; fifth; a diminished demand for convict labor; sixth, the general financial and business depression; seventh, the almost universal opinion in the approaching reduction of prices of free labor.

For these reasons we confidently believe that the State will not be able to approximately maintain its present revenue under the present system. As in the past so will it probably be in the future, the chief revenue must be derived from mining coal. This the State can do humanely and without unjust competition with free labor, by limiting the number of convicts worked in the mines and consequently the output of convict coal. The State can do this by opening mines of its own and selling its coal in the market, or mining coal at an agreed price per ton for the owners of mines. The following facts should be carefully considered.

First. In convict labor the State has a reliable, certain, skilful labor, one that it can absolutely control. Second. That with the same skill and judgment in business management, it has, therefore, the advantage of any other operator. Third, that it could make contracts without a strike clause, thus giving it the advantage in the markets, both in an opportunity to sell and in the price. These remarks apply not only to coal mining, but

to every form of labor for which convicts are suited. Let us now enquire why mine operators want convicts. First, for the same reasons above given, to-wit: reliability. Second, because of the profit derived in working convicts. Through the first they can make definite contracts, and in effect control free labor; the latter increases the profits. We believe that it is not an illogical deduction, therefore, that the present or other mine operators would be willing to sacrifice the latter to keep the former, to-wit: The certain supply of a definite amount of coal; if they would not be influenced by this in leasing their mines to the State, then of course they would not be influenced by it in hiring the convicts. The logical conclusion, therefore, is that by limiting the amount of coal mined by convicts we increase the demand for that coal. Consequently, competition among operators for that coal. The method therefore to maintain the present revenue is to limit the amount of coal mined by convicts to about one-half of the present output, and for the State to mine this coal itself, and turn the profits into the State treasury, now enjoyed by the mine operators. If contractors hire the convicts for so much per capita, or per classification and maintenance, they of course will deduct the latter from their estimate of their earnings before bidding. If the State works its own convicts, it of course will estimate the cost of maintenance in any contract it may make with lessors of mines. In both cases the convicts must be maintained. With equal management the cost must be the same; with equal work, the product of labor must be the same; with equal management, the profits must be the same. Therefore, if contractors can make more out of the convicts than the State, it must be due to one or all of these reasons, to-wit: Difference in maintenance, more work or better management. No one we suppose will agree that the State has a right to allow contractors to do what it would not do itself, in either bad treatment or overwork, and certainly the State by paying salaries sufficient can get as good managers. In other words, the State should not grant to contractors prerogatives it denies itself, and certainly it is competent to manage its own business. We therefore recommend that the State

operate coal mines on its own account.

Offer to Lease the State Coal Lands.

The trustees of the State University have formally offered the State the lease of certain coal lands. They offer the lands for a royalty of 5 cents per ton. There are two seams of coal on the lands, according to the testimony of Dr. Smith—the Pratt seam, four feet thick, and the Newcastle seam, about six feet thick. It contains an abundance of timber, and three miles of railroad will connect it with the Southern Railroad and the K. C., M. & B. For particulars see Exhibit "B."

As an illustration of the earning capacity of convict labor, let us suppose that all convicts working in mines were cutting coal, and that the price paid for this coal was the same as the price paid free labor. The task of a first class convict in the Pratt Mines seam of coal is four tons; the price paid free labor for mining coal at Pratt is 40 cents per ton. Therefore, the coal mined in one day by a first class convict is worth $1.60. This, of course, without expense to the operator. On this basis let us see what three hundred first class convicts would earn at the present price paid free labor and the present task of the convict: 300 x 4 tons = 1,200, at 40 cents per ton = $480.00 per day, or $12,480 per month.

Now, suppose the State had a contract to mine coal at the same price paid free miners, the State paying all expenses of mining now paid by the free minor, and the operator paying all expenses now paid by the operator. The free miner's expense is his own maintenance and the cost of miners' supplies—oil, powder, paper, squibs, etc. We have sworn testimony that the latter cost is at the rate of $2.55 for 100 tons of coal. Therefore, on daily output, to-wit, 1,200 tons, it would be $30.60 per day, or $795.60 per month. Now, add the maintenance of 300 convicts at $9.00 per month each, to-wit, $2,700.00, and we have the following statement as the result, to-wit:

Total earnings per month		$ 12,480 00
Expenses for miners' supplies	$ 795 60	
Expenses of maintenance	2,700 00	
Total expense		3,495 90
Net earnings		$ 8,984 40

This proposition places the State and the mine operator in precisely the same relation now existing between the free miner and the mine operator.

Now, let us see what the State would get under the existing system and present contract: 300 first class convicts at $18.50 each—$5,550.00 net—which is $3,434.40 less than the same number of convicts at the same task and mining the same amount of coal would earn if paid for their labor same as the amount paid for free labor.

These figures illustrate the great possibilities of the State. We, therefore, believe that the law should authorize the State authorities to mine coal upon the following terms and conditions:

First. To contract to mine coal at an agreed price per ton, put in the railroad car or loaded in the tram car in the mines.

Second. To lease a coal mine and mine coal on its own account.

Third. To hire its convicts, per capita or per classification, per month, to mine operators, the State maintaining, guarding, controlling, etc., the convicts.

We think the relative advantages are in the order mentioned. If the State cannot make satisfactory contracts under any of the above provisions, then to proceed at once to open mines of its own, on lands owned or leased for that purpose. This we regard as the most undesirable, because it might seriously cripple the mining business; but should be resorted to as a dernier resort.

Assignment of Convicts in Mines.

In rooms, headings, air courses all on coal	80 per cent.
On dead work in mines	20 per cent.

This 80 per cent. distributed in a coal mine, in such a way as to keep up the headings and air courses and to work all the rooms, would produce an average for first-class convicts of 3.80 tons, second class 2.50 tons in a seam of coal four feet thick. Six hundred and fifty convicts, about one-fourth of the present number, assigned to mines, fifty on the outside and six hundred in mines, three hundred first class and three hundred second class, 80 per cent. or 480, 300 first class and 180 second class being on coal, the other 20 per cent., all second class, to dead work, would produce the following output of coal on the cars daily:

First class men at 3.80 tons each	1,140 tons
Second class men at 2.50 tons each	450 tons
Total	1,590 tons

In round numbers, 1,600 tons per day. This at 50 cents per ton, on railroad cars, would amount to $800 per day; $20,800 per month and $249,600 per annum; cost of operating the mines $100.00 per day, or $2,600.00 per month. Cost of maintaining convicts, $9.00 per month each, $5,850.00; total cost, $8,450 00 net profits per month, $11,350.00; per annum, $135,000.00.

In this estimate we call attention to the following facts:

First, the assignment of these convicts is in accordence with expert testimony. Second, the task of first class convicts to-day at Pratt Mines is four tons; the second class is three tons (see rules and regulations of board of inspectors). Third, at Pratt Mines and Coalburg there are about 300 first class convicts. Fourth, at Pratt alone, on the first day of December, 1896, there were 280 second class convicts. Fifth, that the estimated price for mining coal is ridiculously low. Sixth, that the cost of maintenance as estimated is more than what it really is.

General Assignment of Convicts.

It is estimated that there will be on hand the 1st day of January, 1898, at least 2,650 State and county con-

felons should be sentenced to the State, and misdemeanors only to hard labor for the county with no limit under 10 years as to number to be hired. The following is the per centage of county convicts convicted for respective periods:

12 months and under, 28 per cent.; one to two years 40 per cent.; over two years 32 per cent.

To maintain the revenue is the real problem. The contract with the Tenn. Coal and Iron Company will expire on January 1st, 1898; this contract was made in 1888. Hon R. H. Dawson, in his testimony says that this was the "best contract the State ever had or ever will have;" in this opinion your committee fully concurs and for the following reasons, to-wit: First, the selling price of pig iron since contract was made has been reduced from one-third to one-half; second, the selling price of coal almost as greatly reduced; third, a great surplus of free miners; fourth, a large increase in the number of convicts; fifth; a diminished demand for convict labor; sixth, the general financial and business depression; seventh, the almost universal opinion in the approaching reduction of prices of free labor.

For these reasons we confidently believe that the State will not be able to approximately maintain its present revenue under the present system. As in the past so will it probably be in the future, the chief revenue must be derived from mining coal. This the State can do humanely and without unjust competition with free labor, by limiting the number of convicts worked in the mines and consequently the output of convict coal. The State can do this by opening mines of its own and selling its coal in the market, or mining coal at an agreed price per ton for the owners of mines. The following facts should be carefully considered.

First. In convict labor the State has a reliable, certain, skilful labor, one that it can absolutely control. Second. That with the same skill and judgment in business management, it has, therefore, the advantage of any other operator. Third, that it could make contracts without a strike clause, thus giving it the advantage in the markets, both in an opportunity to sell and in the price. These remarks apply not only to coal mining, but

claim that after excluding five per cent. for invalids that the remainder outside of mines can be made to earn each, $1.00 per month.

To consummate the ends of genuine convict reform in this State, to maintain in Alabama a convict system commensurate with the high standard of this christian civilization, to maintain the revenue as far as possible, consistent with the higher aims of criminal administration, and to do justice to all our fellow citizens in the distribution of convict labor, we respectfully suggest the following important changes, to-wit;

First. The abolition of the county convict system, or its limitation to misdemeanors, who shall be prohibited from working in mines.

Second. The abolition of the lease system.

Third. The just and equitable distribution of convict with free labor.

We believe that these ends can be attained by the enactment into law of Senate bill number 104, and hereby recommend its passage with such amendments as are necessary to perfect the bill without destroying its essential principles.

Respectfully submitted,

R. M. CUNNINGHAM,
G. J. HALL,
CHARLES E. WALLER,
M. B. MCCOLLUM,
JNO. F. BURNS.

MEMORIALS.

The president of the senate laid before the senate a memorial from the United Confederate Veterans, which, on motion of Mr. Brewer, was referred to the

Committee on m litary.

He also laid before the senate a memorial from and resolutions adopted by the North Alabama Conference of the M. E Church South,

Relating to violations of the fourth commandment, and observance of Sunday,

Which, on motion of Mr. Brewer, was referred to the committee on

Commerce and common carriers.

MESSAGE FROM THE HOUSE.

Mr. President:

The house has originated and passed the following bills:

H. 223. To amend sections 1, 2, 5, 8, 11 and 14 of an act entitled an act to ratify and confirm the organization of the Tredegar Mineral railroad and to confirm and amend the charter thereof, approved February 21st 1893;

H. 32. To amend section 2083 of the code of 1896;

H. 124. For the protection of girls under fourteen years of age;

H. 206. For the prcservation of game animals and birds in Tallapoosa county;

H. 207. To better provide for keeping up the public roads of Baldwin county;

H. 278. To establish Blossburg school district in Jefferson county, Alabama;

H. 305. To punish the unlawful, wanton or reckless discharge of firearms in a public place;

H. 311. To amend an act entitled an act to amend 3682 of the code of Alabama, approved February 26th, 1889.

H. 315. To authorize the constable of Dadeville beat, No. 7, Tallapoosa county, to appoint deputies.

MASSEY WILSON,
Clerk.

HOUSE MESSAGES.

The house bills in the foregoing house message were severally read once and referred to appropriate committees as follows:

H. 223, to commerce and common carriers;

H. 32, 124, 305, 311; 315, to judiciary;

H. 206, 207, to local legislation;

H. 278, to education.

The senate next proceeded to consider

BILLS ON THIRD REAING.

The bill,

S. 234. To declare R. N. Ervin, a liner between the counties of Hale and Perry, a citizen of Hale county,

Was read a third time and passed—yeas 22, nays 0.

Yeas:

Messrs. President, Bethune, Brewer, Brooks, Buchanan, Case, Cunningham, Day. Grant, Hall, Hawkins, Hogue, Hollis, Hundley, Kilpatrick. Lee, McElderry, Moody, Nolen, Robinson, Sowell, Thomason—22.

The bill,

S. 233. To provide for the election of the county superintendent of education for Perry count,

Was read a third time and passed—yeas 24, nays 0.

Yeas:

Messrs. President, Bethune, Brewer, Brooks, Buchanan, Case, Cunningham, Day, Grant, Hall, Hawkins, Hogue, Hollis, Hundley, Kilpatrick, Lee, Matthews, McElderry, Moody, Nolen, Robinson, Smith, Sowell, Thomason—24.

The bill,

H. 219. To provide for the registration of all claims against the fine and forfeiture fund of Bibb county,

Was taken up.

The amendment reported by the committee, as follows:

Amend by striking out, wherever it occurs in the bill, the word "April" and inserting the word "July,"

Was adopted,

And the bill, as amended,

Was read a third time and passed—yeas 21, nays 0.

Yeas:

Messrs. President, Boykin, Brewer, Brooks, Buchananan, Case, Cunningham, Day, Grant, Hall, Hawkins, Hogue, Hollis, Hundley, Lee, Matthews, Moody, Nolen, Robinson, Sowell, Thomason—21.

The bill,

H. 96. To prevent persons from hunting with dog or gun or with bird nets upon the land of another in the county of St. Clair, without first obtaining permission and consent from the owner or agent of the land in cases where the same has been or is posted at three conspicuous places thereon,

Was taken up.

The amendment reported by the committee as follows:

1st. Amend title and body of the bill by inserting after the words "St. Clair," wherever it occurs in the title and body of the bill the words "and DeKalb;"

2nd. By inserting in title and section 1 of the bill before the word "consent" the word "written,"

Was adopted, and the bill, as amended, was read a third time and passed; yeas 23, nays 0.

Yeas:

Messrs. President, Abercrombie, Bethune, Boykin, Brewer, Brooks, Buchanan, Case, Cunningham, Day, Deans of Shelby, Grant, Hawkins, Hogue, Hollis, Kilpatrick, Lee, Matthews, McElderry, Nolen, Robinson, Sowell, Thomason—23.

The bill,

s. 235. To provide for and regulate the sale of liquors and other intoxicating drinks in Dale county, Alabama,

Was read a third time and passed; yeas 27, nays 0.

Yeas:

Messrs. President, Abercrombie, Bethune, Boykin, Brewer, Brooks, Buchanan, Case, Cunningham, Day, Deans of Shelby, Grant, Hall, Hawkins, Hogue, Hollis, Hundley, Kilpatrick, Lee, Matthews, McElderry, Nolen, Robinson, Smith, Sowell, Thomason, Walker—27.

SPECIAL ORDERS AT 12 O'CLOCK M.

The senate considered the special orders for this hour.

The bill,

s. 181. To legalize the holding of the office of county superintendent of education by women of this State,

Was taken up.

Mr. Hundley moved to amend the bill by striking out the counties to which it applied, and to make it general in its effect.

On motion of Mr. Hogue the amendment was laid on the table.

Mr. Hundley moved to amend the bill by adding "Madison county."

Adopted.

Mr. Buchanan moved to amend by adding Pike, Cof-

fee and Crenshaw counties.

Adopted.

Mr. Pettus moved to lay the bill and amendments on the table.

Lost; yeas 8, nays 16.

Yeas:

Messrs. President, Bethune, Brewer, Hogue, Kilpatrick, Matthews, Pettus and Walker—8.

Nays:

Messrs. Brooks, Buchanan, Case, Cunningham, Day, Deans of Shelby, Grant, Hall, Hawkins, Hollis, Hundley, Lee, Nolen, Robinson, Smith, Thomason—16.

The bill, as amended, was read a third time and passed; yeas 18, nays 8.

Yeas:

Messrs. Pesident, Bethune, Brooks, Buchanan, Case, Cunningham, Day, Deans of Shelby, Grant, Hall, Hawkins, Hollis, Hundley, Nolen, Pettus, Robinson, Smith, Thomason—18.

Nays:

Messrs. Brewer, Brown, Hogue, Kilpatrick, Lee, Matthews, Moody and Walker—8.

The bill,

s. 104. To regulate management and work of convicts in the State of Alabama, providing for the more humane treatment of the convicts, the maintenance of the revenue derived from convict labor, and the more equitable distribution of the competition of convict with free labor,

Was taken up.

On motion of Mr. Cunningham, the consideration of the bill was postponed until Wednesday next, January 27th, 1897, and made the continuing special order, immediately after the reports of the committees.

The bill,

H. 147. To amend an act entitled "an act to repeal sections 3286, 3287 and 3288 of the code of 1876," approved February 17th, 1885,

Was taken up.

On motion of Mr. Hawkins, the consideration of the bill was postponed until Friday next, January 29th, 1897, and made a continuing special order at 12 o'clock

on that day.

NOTICE OF MOTION TO RECONSIDER.

Mr. Pettus gave notice that on to-morrow he will move to reconsider the vote by which the bill,

s. 181. To legalize the holding of the office of county superintendent of education by women of this State,

Was passed by the senate to-day, and that it was for this purpose he voted for its passage.

ADJOURNMENT.

On motion of Mr. Cunningham, at 12:13 o'clock P. M. the senate adjounrned until to-morrow morning at 10:30 o'clock.

TWENTY-NINTH DAY.

SATURDAY, January 23rd, 1897.

The senate met pursuant to adjournment.

Prayer by Rev. Mr. Robinson of the senate.

Present:

Messrs. President, Abercrombie, Bethune, Boykin, Brewer, Brooks, Brown, Buchanan, Case, Cunningham, Day, Deans of Shelby, Grant, Hall, Hawkins, Hogue, Hollis, Hundley, Kilpatrick, Lee, Matthews, McElderry, Moody, Nolen, Pettus, Robinson, Smith, Sowell, Thomason, Walker—30.

READING OF JOURNAL.

On motion of Mr. Hundley, the reading of the journal of yesterday was dispensed with, and it was approved.

INTRODUCTION OF BILLS.

On the call of the districts, bills were introduced,

read and referred to appropriate committees, as follows:

By Mr. Day—

s. 303. To fix the compensation for recording registration and copying in the probate office in Morgan county and Lawrence county,

Judiciary;

By Mr. Bethune—

s. 304. To amend section 2 of an act to declare and the beginning and duration of the terms of the several executive and judicial officers in the State, approved February 21st, 1893,

Judiciary;

Also,

s. 305. To punish any person who wilfully injures any railroad track or places any impediment or obstruction thereon,

Judiciary;

By Mr. Grant—

s. 306. To establish a separate school district to be known as the Whatley Public School District of Clarke county, Alabama,

Education;

By Mr. Kilpatrick—

s. 307. To amend section 2732 of the Code of Alabama,

Judiciary;

By Mr. Cunningham—

s. 308. To vacate a part of the plat of certain lands in Jefferson count, made by the Elyton Land Company, a corporation in Jefferson county,

Judiciary;

By Mr. Boykin—

s. 309. To authorize Hugh Stewart, his heirs and assigns, to establish, maintain and operate a public ferry on the Alabama river within the police jurisdiction of the city of Montgomery,

Judiciary;

Also.

s. 310. To prohibit the running at large of any bull of the cow kind in the county of Russell, and to provide for the punishment of the same,

Judiciary;

By. Mr. Matthews—

s. 311. To give greater security in the transfer of property, and more easily detect fraud in the acknowlments thereof,

Judiciary;

Also,

s. 312. To pervent the use of Wheeles of Fortune, chance games and rafflings or devices of like kind,

Judiciary;

By Mr. Smith (by request)—

s. 313. To prevent crualty to children,

Judiciary;

Also. (by request)—

s. 314. To provide for the control and education of children of the age of fourteen years and under, who by reason of orphanage, or the neglect, crime, drunkness or other vice of their parents, or for any other cause, may be growing up without education or salutory control and in circumstances exposing such children to lead dissolute and vicious lives,

Judiciary;

Also, (by request)—

s. 315. To prohibit the employment of children of the age of twelve years and under, in any way whatever in any mechanical, mercantile or manufacturing establishment,

Judiciary;

By Mr. Sayre—

s. 316. To fix the terms of office of the mayor, aldermen and other city officers of the city of Montgomery,

Judiciary;

Also,

s. 317. To empower the commissioner of agriculture to redeem from the Bradley Fertilizer company fertilizer tags issued during the years 1891, 1892 and 1893, to said company aggregating five hundred, fifty-six dollars twenty-five cents, ($556.25),

Finance and taxation;

Also,

s. 318. To regulate the passage of vehicles on the public roads of Montgomery county,

Judiciary;

Also,

s. 319. To further regulate the business of Building and Loan Associations,

Judiciary;

By Mr. Hawkins—

s. 320. To incorporate the colored Baptist Brothers and Sisters benevolent society,

Agriculture;

RESOLUTION.

Mr. Moody offered the following joint resolution, which was referred to the committe on rules:

Resolved by the senate the house concurring, that a joint convention of the two houses of the general assembly be held in the hall of the house to-day at 1:30 o'clock P. M. for the purpose of the election of a judge and a solicitor for the Tuskaloosa county law and equity court.

REPORTS OF COMMITTEES.

Bills were reported from committees and read a second time as follows:

By Mr. Pettus from judiciary, favorably,

s. 300. To amend an act entitled an act to amend section 1761 (2098) of the Code of Alabama, approved February 28th, 1889,

Also,

s. 291. To prevent families, or any member thereof, being disturbed at their homes by the firing off of pistols, guns, cannon-crackers, fire-crackers, or like noises,

Also, (with amendment),

s. 290. For the better protection of wood and timber,

By Mr. Brewer from finance and taxation, favorably,

s. 217. Looking to the reduction of the expenses of the State government,

Also,

s 116. For the relief of Mrs. Fannie Parrish.

Also,

s. 271. To amend sections one, four and seven of an act entitted an act to authorize the mayor and councilmen of Brewton to issue bonds of said city for an amount

not exceeding twenty-five thousand dollars, for the purpose of putting in a system of water works, and making other permanent improvements in said city, approved February 14, 1891.

Also,

s. 266. To authorize the mayor and Councilmen of the town of Edwardsville, in Cleburne county, to issue bonds of said town to the amount of twenty-five hundred dollars, for the purpose of purchasing land and erecting thereon and equipping a school building for the benefit of said town,

Also, with amendment,

s. 149. To amend section 1319 of the Code.

Also, with amendment,

s. 251. To amend sections 80, 81, 82 and 83 of the Code of 1886,

By Mr. Hogue from local legislation, favorably,

s. 245. For the preservation of game animals and birds in the county of Colbert,

Also, with amendment,

H. 229. To establish stock law in Beats 1, 8 and 15 in Elmore county,

Also, favorably,

s. 269. To authorize the Tallahassee Palls Manufacturing Company to discontinue a ferry across the Tallapoosa River, near Tallassee, Elmore county, Alabama,

Also,

s. 261. To prevent the running at large of stock in certain portions of Talladega county,.

Also,

s. 268. To authorize and direct the commissioners' court of Randolph county to select and provide a suitable building at Wedowee, in said county, for the holding of the various courts of said county until a court house shall have been built for said county, and to designate said building,

Also,

s. 270. For the relief of J. H. Henley, of Clarke county,

Also, with amendment,

H. 380. To regulate the fine and forfeiture fund of Elmore county, and to better provide for the payment

of claims registered against said fund, by appropriating from the general fund to the fine and forfeiture fund money to pay registered claims against said fine and forfeiture fund, and to provide for the payment of fines assessed or forfeitures rendered by a competent court in fine and forfeiture script of said county.

Also, favorably,

S. 231. To establish a county court for the county of Cleburne;

Also,

H. 288. To prevent stock from running at large in sections 4, 5, 6, 7, 18, 19 and the N. W. ¼ and W. ½ of N. E. ¼ and N. ½ of S. W. ¼ of section 8, and that part of section 3 west of the Big Tallapoosa river, all in township 19, of range 10, in Randolph county;

Also,

H. 123. To amend an act to authorize the commissioners' court of the counties of Cherokee and Etowah to levy a tax for working public roads and to let out said roads by contract;

Also,

H. 334. To prevent stock from running at large in certain parts of Monroe county;

By Mr. Abercrombie from education, favorably—

S. 286. To create a separate school district in Limestone county, Alabama, to be known as the Athens School District;

By Mr. Kilpatrick, from municipal and county organizations, favorably—

S. 238. To establish a new charter for the town of Seale, in Russell county;

Also,

S. 239. To amend sections 14, 15, 20, 24 of an act entitled an act to amend an act entitled an act to incorporate the city of Girard, in Russell county, approved December the 8th, 1890; and to amend section 16 of an act entitled an act, to incorporate the city of Girard, in Russell county, approved December the 8th, 1890;

Also,

H. 395. To amend section 1 of an act entitled an act to amend an act entitled an act to incorporate the town of Moulton, in Lawrence county, Alabama, approved

February 18th, 1895;

Also,

s. 259. To incorporate the town of Holly Pond, in the county of Cullman, and State of Alabama;

Also,

s. 264. To amend sections 2, 12, 15 and 17 of an act entitled an act to create a new charter for the town of Heflin, Cleburne county, Alabama, approved December 12, 1894;

Also,

s. 265. To amend the charter of the city of Anniston; to amend sections seventeen (17) and twenty-five (25) of an act, approved February 18, 1895, entitled "an act to establish a new charter for the city of Anniston;" and to prescribe in what the fines, taxes, licenses, dues and charges, due to and collectable by the city of Anniston, shall be paid;

By Mr. Hawkins, from agriculture, favorably, with a substitute—

H. 361. To amend section 3 of an act to establish five additional branch agricultural experiment stations and agricultural schools to be located in the 1st, 4th, 5th, 6th and 9th congressional districts respectively, in the State of Alabama, approved February 18th, 1895.

REPORT ON ENGROSSED BILLS.

Mr. Sowell, from the committee on engrossed bills, reported as correctly engrossed, the following bills:

s. 233, 234, and 235.

REPORT FROM THE COMMITTEE ON RULES.

Mr. Pettus from the committee on rules reported favorably

The senate joint resolution providing for a joint convention of the two houses of the general assembly at 1:30 o'clock P. M. to-day for the election of a judge and a solicitor for the Tuskaloosa county law and equity court.

The report was concurred in and the resolution was adopted.

Also, from same committee, reported favorably the senate joint resolution, providing for the pay of the clerk to the select joint committee on educational laws during the recess.

The report was concurred in and the resolution adopted.

Also, from same committee, reported a substitute for the resolution,

Authorizing the chairman of the committee on education to employ a clerk to serve said committee, and when not engaged to serve the committee on corporations,

Which substitute is as follows:

Resolved by the senate, That the chairman of the committees on local legislation and education are authorized to emyloy a joint clerk for such committees.

The substitute was adopted and the resolution as amended was adopted.

REPORTS FROM SELECT COMMITTEES.

Mr. Abercrombie from a select committee submitted the following report:

To the General Assembly of Alabama:

We, the undersigned members of the joint committee appointed by the general assembly to visit and inspect the State Normal School, located at Florence, Alabama, beg leave to submit the following as our report:

Your committee visited the State Normal School at Florence on the 11th day of January, 1897, and saw the school at work. The school is located near the center of the resident portion of the beautiful city of Florence. The school building, together with thirteen acres of land, are estimated to be worth thirty-five thousand dollars. Your committee found the college building and grounds in good condition. There were nearly three hundred pupils attending the school.

The average necessary expense of each pupil per session, including board, tuition, light, fuel, etc., is about one hundred dollars. There is a great demand for the graduates of this school as teachers.

The State appropriation to this school is seventy-five hundred dollars per year.

Your committee was informed that the pay roll exceeds the fixed income by one thousand dollars per year, the deficit being supplemented by fees arising from tuition of scholars attending this school who do not live in Alabama and from fees arising from special courses. President Powers has the school under splendid control and is doing good work.

President Powers takes a deep interest in the school and is fast bringing it to rank among the foremost institutions of learning in the State. He is making it a normal school strictly.

Having discharged its duty, the committee asks to be discharged.

Respectfully,

JOHN W. ABERCROMBIE,
W. H. MATHEWS,
Senate Committee.
W. W. LAVENDER,
A. Y. GLOVER,
House Committee.

The report was received and the committee discharged.

Mr. Matthews, from a select committee, submitted the following report:

To the General Assembly of Alabama:

Your committee appointed to visit the Alabama Normal College, located at Livingston, Alabama, beg leave to report:

That they visited the school on Wednesday, the 13th day of January, 1897. The committee was permitted to see and examine for themselves the practical workings of the school, but on account of the limited time of the committee, the examination was necessarily an imperfect one.

Your committee believe that the educational advantages offered by the school to normal pupils are of a high order. In addition to the branches usually included in the normal course, vocal music, free hand drawing, physical culture and elocution are taught free of charge.

The normal pupils may also have instruction in Greek, Latin, French, German and Spanish, by competent teachers free of charge.

The instruction seems to be thorough, and we heard of very little complaint in that particular and none from patrons of the school.

Your committee was especially struck with the moral and religious instruction which the pupils all receive.

The school property is estimated by trustees to be of the value of $12,850. The college suffered a loss of five thousand dollars by fire in December, 1894, but by reason of the support and financial aid of the citizens of Livingston was enabled to proceed with the school work without losing a day.

The school buildings and dormitories are excellent and well arranged. A special feature of the class rooms is that the walls are adorned with copies of the celebrated pictures and paintings which should and doubtless have an educational influence highly valuable.

Your committee noted also that the rooms of the dormitories were unusually well furnished, with regard to neatness and comfortab eness.

We were informed that the average number of normal pupils taught annually is about forty. We were also informed that a number of the normal graduates were filling positions as teachers in various parts of this and other states.

The state appropriation to this school is $2,500. Of this fund $2,160 is used to pay the principal and teachers.

Your committee feels it its duty to report that they heard considerable complaint to the effect that the expenses of a pupil in the school are too high. The trustees reported to the committee that the price of board in the school is $12.50 per month, which includes servauts' attention, washing, fuel and lights. We were informed by patrons of the school aud others that it costs as much per year for a pupil in the normal college at Livingston as it costs at other colleges in the State having no appropriation from the State.

The committee also heard some complaint that there was a discrimination between the regular paying pupils

and the normal pupils in favor of the former. Your committee saw no evidence of this, and know nothing of the justness of the complaint.

Your committee believe and so suggest that all the normal schools receiving appropriations from the State should be required to make an annual report to the governor, showing fully the work of the school, and other matters of interest connected with the school.

Your committee further believe that the school offers unusual educational advantages and has done an excellent work in providing competent teachers for the State.

Your committee would also especially commend the efforts of the distinguished principal of the school to offer to the poor girls advantages equal to those girls who are not poor.

And your committee having submitted the above report, beg leave to be discharged.

W. H. MATTHEWS,
Committee from Senate.
W. R. BARNES,
T. W. COLEMAN, JR.,
T. J. KENNAMER,
Committee from House.

The report was received and the committee discharged.

MESSAGE FROM THE HOUSE.

Mr. President:

The house has originated and passed the following bills:

H. 106. To establish county school book board, to select a uniform series of text books for use in the public schools in the county of Winston;

H. 160. To establish a separate school district to be known as the Mount Zion school district composed of a portion of DeKalb, Marshall and Etowah counties, Alabama;

H. 230. To prevent hunting on the lands of another without the consent of the owner of the title in fee simple or of a life estate therein or of his authorized agent in the county of Greene and in beats number 2, 3, 4, 5, 6, 7, 8, 9, 10, 15, 16 and 17 in Hale county, Alabama;

H. 291. To adjust and extend the bonded debt of the county of Pickens;

H. 250. To allow the presiding judge of the circuit court in any of the counties in the first, third, fourth, fifth, sixth, seventh, ninth and thirteenth judicial circuits and in Cullman county in the eighth judicial circuit, to order the jury box in either of such counties, except in the counties of Dallas, Monroe, Etowah, DeKalb and Mobile to be refilled when in his opinion the box has become illegal or irregular and to provide for refilling the box;

H. 302. To prohibit the sale, giving away or otherwise disposing of spirituous, vinous or malt liquors or other intoxicants as a beverage and to regulate the issuing and filing of prescriptions requiring the use of alcoholic spirits for medicinal purposes within three miles of the Geneva Academy in the town of Geneva, county of Geneva;

H. 310. To regulate and fix the fees of the constables of Winfield beat No. 14, in Marion county, Ala.;

H. 321. For the relief of John T. Bell and making an appropriation to refund to him two hundred dollars the same being money that he paid into the States treasury on the 9th day of January, 1896, for a license to do business as a wholesale liquor dealer in the town of Clayton, Barbour county, Alabama, but immediately thereafter he discontinued business as such wholesale dealer, made application to have said wholesale license changed to a retail license which application was refused, thereby forcing him to pay into the treasury a similar sum for a license to sell liquors at retail in said town of Clayton, thereby paying into the treasury money for two licenses while he operated under but one;

H. 324. To authorize the court of county commissioners of Calhoun county to issue and sell bonds of said county not exceeding seventy-five thousand dollars for the purpose of paying the outstanding county warrants;

H. 346. To fix the time of holding the fall terms of the chancery court for the counties of Colbert, Lauderdale, Lawrence and Franklin, in the northern chancery division;

H. 243. For the relief of Lula Houston Terrell and

the heirs of the estate of M. J. Houston, deceased;

H. 285. To establish and maintain a uniform series of text books for the public schools of the county of Morgan;

H. 225. To require the commissioners court of roads and revenues for the county of Coosa, to cause road overseers in said county to have loose stones removed from the roads of said county, so far as the same may be practicable;

H. 205. To authorize the board of intendant and councilmen of the town of York station in Sumter county to issue bonds of the said town for an amount not exceeding two thousand dollars for the purpose of building or procuring suitable school buildings for the use of the residents of said town;

H. 299. To regulate the disposition of real essate or any interest therein belonging to the county of Cullman.

MASSEY WILSON,
Clerk.

HOUSE MESSAGES.

The house bills in the foregoing house message were severally read once and referred to appropriate committees as follows:

H. 106, 160, 285, 205, to education;
H. 230, 291, 310, 225, to local legislation;
H. 250, 346, 299, to judiciary;
H. 302, to temperance;
H. 324, to municipal and county organizations;
H. 321, 243, to finance and taxation.

BILLS ON THIRD READING.

The bill,

S. 255. To authorize the court of county commissioners of Madison county to aid in keepin up the Huntsville Infirmary,

Was read a third time and passed.—yeas 24, nays 0.

Yeas:

Messrs. President, Abercrombie, Bethune, Boykin, Brooks, Brown, Buchanan, Case, Cunningham, Grant,

Hawkins, Hogue, Hollis, Hundley, Kilpatrick, Lee, Matthews, McElderry, Nolen, Pettus, Robinson, Smith, Sowell, Thomason—24.

The bill,

s. 254. To provide for the payment of grand jury certificates heretofore issued by the foreman of the grand jury, when the same have been registered, in Madison county,

Was read a third time and passed.—yeas 25, nays 0.

Yeas:

Messrs. President, Abercrombie, Bethune, Boykin, Brooks, Brown, Buchanan, Case, Cunningham, Day, Deans of Shelby, Grant, Hall, Hogue, Hollis, Kilpatrick, Lee, Matthews, Moody, Nolen, Pettus, Robinson, Smith, Sowell, Thomason—25.

At Mr. Hundleys request, he was excused from voting on this bill.

The bill,

s. 253. To authorize the court of county commissioners of Madison county to encourage the enlargement of the plant of the Dallas Manufacturing Company, in Madison county,

Was taken up.

Mr. Hundley offered the following amendment:

Amend section one of the bill by striking out after the word "said" in the 5th line of said section the following words, "mill, including the mill building, machinery and all fixtures connected thewith," and insert in lieu thereof the following: "enlargement of and addition to said mill."

Mr. Sowell moved to lay the amendment on the table.

Lost.

Yeas, 6; nays, 17.

Yeas:

Messrs. Abercrombie, Brooks, Brown, Cunningham, Lee, and Sowell—6.

Nays:

Messrs President, Bethune, Brewer, Buchanan, Day, Deans of Shelby, Grant, Hall, Hawkins, Hollis, Hundley, Kilpatrick, McElderry, Moody, Nolen, Robinson, Thomason—17.

On motion of Mr. McElderry, the bill and amendment

were laid on the table.

MESSAGE FROM THE HOUSE.

Mr. President:

The house has concurred in the senate amendments to the honse bill,

H. 96. To prevent persons from hunting with dog or gun or with bird nets upon the land of another in the county of St. Clair, without first obtaining the written permission and consent from the owner or agent of the land in cases where the same has been or is posted at three conspicuous places thereon,

And has concurred in the senate joint resolution relative to the election of a judge and solicitor for Tuskaloosa county, law and equity court,

And has originated and passed the following bill forthwith to the senate without engrossment:

H. 689. To authorize the preparation of, and filling the jury boxes of the county of Randolph, to legalize the same when prepared and filled, and to provide for drawing juries from said boxes.

MASSEY WILSON,
Clerk.

HOUSE MESSAGES.

The house bill in the foregoing house message was read once and referred to the judiciary committee.

RECONSIDERATION OF BILL.

Mr. Pettus moved to reconsider the vote by which the senate, on yesterday passed the bill,

S. 181. To legalize the holding of the office of county superintendent of education by women of this State.

The motion prevailed.

Mr. Pettus moved to indefinitely postpone the further consideration of the bill,

Pending the consideration of the motion.

THE SPECIAL ORDER FOR TO-DAY.

Was taken up, being the bill,

s. 7. To regulate the holding of primary election for the selection of delegates to political conventions, and the nominations of candidate for any office to be filled by election.

On motion of Mr. Abercrombie, the consideration of the bill was postponed until Tuesday, January 26th, 1897, and made the continuing special order for 12 o'clock M. on that day,

And on motion of Mr. Abercrombie the bill,

s. 110. To prohibit book making or pool-selling in the State of Alabama,

Was taken up, and considered instead of the special order for to-day,

The amendment to the pending substitute were adopted.

The substitute was adopted,

The bill as amended, was read a third time and passed—yeas 23, nays 0.

Yeas:

Messrs. President, Abercrombie, Bethune, Boykin, Brooks, Brown, Buchanan, Case, Cunningham, Day, Deans of Shelby, Grant, Hall Hawkins, Hogue, Hollis, Kilpatrick, Lee, Matthews, Nolen, Pettus, Sowell, Thomason—23.

RECESS.

On motion of Mr. Brewer, the senate took an informal recess until 1:30 o'clock P, M. to-day.

The senate was called to order by the president at the expiration of the informal recess.

JOINT CONVENTION.

At 1:30 o'clock P. M. pursuant to the joint resolution, the senate proceeded to the hall of the house of representatives.

The joint convention was called to order by the president of the senate, who directed the secretary to call

the roll of the senate,

Whereupon, the following answered to their names, viz:

Messrs. President, Abercrombie, Bethune, Boykin, Brewer, Cunningham, Day, Deans of Shelby, Grant, Hogue, Hollis, Hundley, Kilpatrick, McElderry, Moody, Nolen, Pettus, Smith, Sowell, Walker—20.

The president announced that twenty senators were present.

The speaker of the house then directed the clerk of the house to call the roll of the house,

Whereupon the following representatives answered to their names, viz:

Messrs. Speaker, Appling, Barnes, Barron, Beeson, Bouldin, Brandon, Brown of Jefferson, Brothers, Burns, Cameron, Cofer, Coleman, Dale, Davis, Delchamps, Flewellen, Glover, Graves, Hampton, Harkins, Heflin, Hibbard, Hill, Huddleston, Killen, Knowles, Kyle, Lavender, Lipscomb, Lloyd, Long, Meadow, Meadows, Mills, Merrill, Mitchell, McClellan, McCollum, McGuire, Newman, Nesmith, Perry, Pitts, Poole, Prowell, Rogers, Sheldon, Simmons, Smith of Tallapoosa, Stansel, Stewart, Timberlake, Troup, Tunstall, Turner, Waller of Hale, Waller of Montgomery, Wood of Henry, Wood of Macon—59.

The speaker of the house then announced that fifty-nine members of the house of representatives were present:

The president of the senate then stated that a majority of the two houses of the general assembly was present and that the purpose of the joint convention was the election of a judge and a solicitor of the Tuskaloosa county law and equity court.

ELECTION OF JUDGE OF TUSKALOOSA COUNTY LAW AND EQUITY COURT.

Mr. Clements placed in nomination for judge of the Tuskaloosa county law and equity court J. J. Mayfield, of Tuskaloosa.

Those of the senate who voted for Mr. Mayfield are:

Messrs. Abercrombie, Bethune, Boykin, Case, Cunningham, Day, Deans of Shelby, Grant, Hawkins, Hogue, Hundley, Kilpatrick, McElderry, Moody, Nolen, Pettus, Robinson, Smith, Sowell, Walker—20.

And the president of the senate announced that in the senate Mr. Mayfield had received twenty votes.

Those of the house of representatives who voted for Mr. Mayfield are:

Messrs. Speaker, Appling, Barnes, Barron, Beeson, Bouldin, Brandon, Brown of Jefferson, Brothers, Burns, Cameron, Campbell, Cofer, Coleman, Dale, Delchamps, Eiland, Flewellen, Gaston, Glover, Graves, Hamption, Harkins, Heflin, Henson, Hibbard, Hill, Huddleston, Killen, Knowles, Kyle, Lavender, Lipscomb, Lloyd, Long, Love, Meadow, Mills, Merrill, Mitchell, McClellan, McCollum, McGuire, Newman, Nesmith, Perry, Poole, Prowell, Rogers, Sheldon, Simmons, Smith of Tallapoosa, Stansel, Stewart, Timberlake, Troup, Tunstall, Waller of Hale, Waller of Montgomery, Wood of Henry, Wood of Macon—61.

And the speaker of the house, then, announced that in the house, Mr Mayfield had received 61 votes.

The president of the senate then declared that Mr. Mayfield, having received a majority of all the votes cast, was duly and constitutionally elected judge of the Tuskaloosa county law and equity court, for the term prescribed by law.

ELECTION OF SOLICITOR OF THE TUSKALOOSA COUNTY LAW AND EQUITY COURT.

Mr. Moody nominated J. Manly Foster, of Tuskaloosa, for solicitor of the the Tuskaloosa law and equity court.

Those of the senate who voted for Mr. Foster are,

Messrs. Abercrombie, Bethune, Boykin, Brown, Case, Cunningham, Grant, Hawkins, Hogue, Hundley, Kilpatrick, Lee, Matthews, McElderry, Moody, Nolen, Pettus, Smith, Sowell, Thomason, Walker—21.

The president of the senate then announced that in the senate Mr. Foster had received twenty-one votes.

Those of the house who voted for Mr Foster are:
Messrs. Speaker, Appling, Barnes, Barron, Beeson, Bouldin, Brandon, Brown of Jefferson, Brothers, Burns, Cameron, Carmichael, Coleman, Dale, Davis, Delchamps, Flewellen, Glover, Graves, Hampton, Harkins, Heflin, Hibbard, Hill, Huddleston, Killen, Knowles, Kyle, Lavender, Lipscomb, Lloyd, Long, Meadow, Mills, Merrill, Mitchell, McClellan, McCollum, McGuire, Newman, Nesmith, Perry, Pitts, Poole, Prowell, Rogers, Sheldon, Simmons, Smith of Tallapoosa, Stansel, Stewart, Timberlake, Troup, Tunstall, Turner, Waller of Hale, Waller of Montgomery, Wood of Henry, Wood of Macon—59.

And the speaker of the house then announced that in the house of representatives Mr. Foster had received fifty-nine votes.

The president of the senate then declared that J. Manley Foster, of Tuskaloosa, having received a majority of all the votes cast, was duly and constitutionly elected solicitor of the Tuskaloosa county law and equity court, for the term prescribed by law.

The president of the senate then stated that the purpose of the joint convention having been accomplished, the joint convention was dissolved, and the senate returned to its chamber.

ADJOURNMENT.

On motion of Mr. Kilpatrick, at 1:52 o'clock P. M., the senate adjourned until Monday morning at 10:30 o'clock.

THIRTIETH DAY.

Monday, January 25th, 1897.

The senate met pursuant to adjournment.
Prayer by the Rev. Dr. Eager of the city.
Present:
Messrs. President, Abercrombie, Bethune, Boykin,

Brewer, Brooks, Brown, Buchanan, Case, Cunningham, Day, Deans of Shelby, Deans of Covington, Grant, Hall, Hawkins, Hogue, Hollis, Hundley, Kilpatrick, Lee, Matthews, McElderry, Moody, Nolen, Pettus, Robinson, Smith, Sowell, Thomason, Walker—31.

READING OF THE JOURNAL.

On motion of Mr. Hogue, the reading of the journal of yesterday was dispensed with, and the journal was approved.

INTRODUCTION OF BILLS.

On the call of the districts, bills were introduced, read and referred to appropriate committees, as follows:

By Mr. Robinson—

s. 321. To provide for the payment of clerks of the circuit courts in certain counties of the State of Alabama for keeping the minutes of the circuit courts in said State,

Judiciary;

Also,

s. 322. To create a separate school district to include the town of Springville in St. Clair county,

Education;

By Mr. Nolen—

s. 323. To allow all ex-confederate soldiers who are unable to make a living by manual labor to peddle in this state without license,

Finance and taxation;

By Mr. Matthews—

s. 324. To regulate the collection of the poll tax in the Tuscumbia School District of Colbert county,

Finance and taxation;

By Mr. Hawkins, by request—

s. 325. To prohibit the adulteration of candies and confectioneries, and the sale or other disposition thereof, and the keeping of adulterated candies and confectioneries for sale or other disposition,

Public health;

By Mr. Smith—

s. 326. To prevent the sale, barter or permitting to run at large, of animals known to have infectious or contagious diseases,

Agriculture;

Also,

s. 327. To provide for the humane killing of animals so maimed or crippled by railroad locomotives or cars, as to be unable to procure food or drink for themselves,

Judiciary;

Mr. Pettus presented a memorial from ladies of Geneva, Alabama, favoring the establishing of a State reformatory at Mt. Vernon for youthful criminals in Alabama,

Which was referred to the committee on penitentiary.

RECOMMITMENT OF BILL.

Mr. Pettus from the judiciary committee returned the bill

H. 319. For the relief of D. C. McInnis, of Mississippi,

And requested its reference to the committee on finance and taxation.

REPORTS OF COMMITTEES.

Bills were reported from committees and read a second time as follows:

By Mr. Pettus, from judiciary, favorably,

s. 263. To repeal an act entitled an act to require sheriff's and coroner's sales in the county of St. Clair, approved February 1st, 1856;

Also, with amendment,

s. 247. To prevent the jumping on or off of trains while in motion, and to provide for the punishment thereof;

Also, favorably,

s. 248. To prevent persons not employees or connected with any railroad, from detaching or uncoupling any train, or putting on brakes, or otherwise interfering with same while standing in any depot, crossing or stop, and to provide for the punishment thereof;

Also, favorably,

H. 420. To authorize the mayor and aldermen of the city of Huntsville to issue bonds of said city for an amount not exceeding thirty thousand dollars for the exclusive purpose of building and repairing and constructing sewers;

Also,

H. 315. To authorize the constable of Dadeville Beat, No. 7, Tallapoosa county, to appoint deputies.

REPORT ON ENGROSSED BILLS.

Mr. Sowell from the committee on engrossed bills reported, as correctly engrossed, the following bills:

110, 254, 255 and 181.

REPORT OF SELECT COMMITTEE.

Mr. Kilpatrick from a select committee submitted the following report:

To the General Assembly of Alabama:

The committee raised by joint resolution to visit Tuscaloosa and investigate the University, beg leave to report that they met in the city of Tuscaloosa on the 9th day of January and organized, electing as their chairman Hon. B. L. Hibbard, of Monroe county.

The committee was in daily session, Sundays excepted, from the date mentioned up to and including the 20th day of January. They examined a great number of persons, covering the faculty, trustees, students, alumni and citizens of Tuscaloosa. The committee finds the University thoroughly and admirably equipped to take the place which it ought to occupy, as one of the great seats of learning of the South. The president and faculty are learned and efficient. Especially is that true with reference to the departments of chemistry, physics and geology, in which departments professors and *appliances* are alike up to date.

The buildings are commodious, well planned and capable of accommodating a much larger number of students than have attended the University at any time since the war. In this connection, however, the com-

mittee is able to report, that the number of students present is a trifle over the average attendance for the last twenty-five years. With the seniors and the law class out of the barracks the buildings could conveniently accommodate 186 undergraduates. The number present at this session is 163. The campus and its surroundings is probably unequalled for beauty and attractiveness by any other college grounds in our entire South, and it is the judgment of this committee that it would be indeed difficult to improve either upon the natural advantages or the location of the University.

It was found by the committee at its first session that the services of a stenographer were absolutely essential to a proper discharge of its duties, and after some difficulty the committee was fortunate in obtaining the services of an alumnus of the University, Mr. Offnere Hope, to whose efficiency and faithfulness the committee take pleasure in testifying.

After a most laborious investigation which covered almost every conceivable detail of University life, the administration of the affairs of the Institution, the duties and conduct of the faculty, the powers and prerogatives of the trustees, the relation of the students to the faculty, and in turn the relation of the faculty to the trustees, and in examination, not only into the daily life of the student, but the question of morals of the University, the committee find that there has been a vast deal of misapprehension on the part of the public of this commonwealth in regard to this noble institution, misapprehension which results in a great measure from a lack of information, and in some instances from wilful perversion of important truths.

No Infidelity Prevails.

Prominent among the latter has been the rumor which has been whispered all over the State, that the moral tone of the University has been such as to prevent its receiving its due share of the patronage of Alabamians. It has been said that infidelity and skepticism were more than winked at and were suggested in instruction. The committtee is happy in being able to state that these re-

ports and rumors are absolutely false and without foundation. Of the entire faculty, including the president, there are but four who are (not active, prominent members of orthodox Christian organizations and the four who are) not professors of any denominational faith and gentlemen of high moral character, and are prompt and punctual in their attendance upon some church on Sunday, the families of the latter without exception being members of some Christian church, and this committee unhesitateingly affirms in this connection that the general moral tone of the University of Alabama cannot possibly suffer by comparison with that of any other institution of learning of light character in the land.

President Has No Authority.

In the active government of the University the committee found, to its astonishment, that the president is utterly without power in those respects in which the executive of any great institution, business or otherwise, should possess plenary power. To illustrate the committee's meaning: The president has no voice in the selection of the faculty, no power of suspension or removal, no matter what might be the misconduct on the part of any member of the faculty, no power or authority to make the most necessary pepairs in cases of emergency, and in all the details which are well nigh innumerable connected with the government of so great an institution, the executive is helpless. In this connection the committee recommend that the president of the University be made an ex-officio member of the board of trustees with a vote on all questions connected with the government of the institution, with power to recommend such removals or changes in the faculty or otherwise as in his judgment would injure to the well being of the school.

The discipline of the University is excellent. This committee knows of but one breach, serious in its character, which has occurred in many years, and that was at a recent meeting of the board of trustees, notwithstanding the rule to the contrary, which has been of so long duration as to become part and parcel of the law of

the University, the trustees heard a complaint on the part of certain of the students against certain of the faculty, and the trustees, so the committee was informed, made some sort of an investigation based upon that complaint. The law to which reference is had is, that all complains made to the trustees must pass through the president. The committee think that the precedent referred to is subversive of college discipline and hurtful in all its results.

It was stated to your committee as a matter illustrative of the lack of authority on the part of the president and faculty, that for gross misconduct a student was recently sent home, and that by reason of influence with which your committee is not familiar, this student was re-instated and finished his course.

Trustee Politicians Meet Once a Year.

Pervading the entire investigation of the committee was the fact that the board of trustees of the University could not possibly, from the necessities of the case, legislate at their annual session for the entire term of the University, so as to include and cover very many matters of greatest importance. They convene during the commencement exercisee, and their session ordinarily extends over three or four days. It is practically impossible in this short period of time for a board of trustees to inform themselves as to the details connected with the management and control of the University. No matter how interested they may be in its prosperity, they could not in this brief time sufficiently inform themselves upon the affairs of the institution.

Your committee unqualifiedly recommend that there established a board of control, consisting of the president of the University and two resident citizens of Tuscaloosa or immediate vicinity, who shall have the practical and absolute management of the internal affairs of the University. This board might be constituted either from the board of trustees or independently of this board, and ought to be elected or at least nominated by the alumni of the institution.

Alumni Should Have Voice.

The board of trustees ought to exercise purely a supervisory authority and at the aunual meeting at commencement, review in a gencral way, the actions of the president and board of control, but the committee is convinced that matters relating to the management and control of the University, should be practically committed to the president, or acting perhaps in connection with the board of control. The executivo head of any institution, financially, commercial or educational should have power and authority, commcnsurate, with his responsibility, and the unanimous voice of those who are informed upon the present status of the University seems to bc, that the president is too much restricted in the prerogatives that should attach to his position.

The committee realize that the alumni of any college or University should have some voice in directing its affairs. It is not only essential that the graduatcs of a University should be loyal to their Alma Mater, but they should be enthusiastic in their devotion to its interests and advancement. We believe that the Alumni should have more consideration in selecting or suggesting the Trustees of the University. Tho constitution of the State provides that the trustees shall be appointed by the Governor, but without conflicting with the provision referred to, the alumni might nominate the trustees and the Governor appoint upon their nomination. Another plan suggested is that the constitution be amended and that the alumni have the privilege of electiug a certain proportion of the board.

Whenever the alumni are permitted to have a voice in matters of this character they are brought closer to the University, and feel an individual and a common interest in its welfare.

The high standing of the alumni of the University and their prominence in affairs of State and Nation, justify the committee in saying that their selections would rebound to the interests of the institution, and that the trustees designated by them would be progressive and capablc men.

President Should not Teach.

We find that the law department of the University is susceptible of great improvement. Under existing conditions the course of instructions covers only one year, and the faculty of the law school consist of the president of the university and two practicing lawyers of the city of Tuskaloosa. There can be no question that the president should not be required to teach in any department and we recommend that the duty now imposed npon the president in this respect be immediately removed. We recommend further that there be selected a Dean for the law school, that he be required to devote his entire time and attention to the upbuilding and maintenance of his department, that he be an accredited member of the faculty of the University and that he shall receive a salary of at least $2,500, perhaps $3,000. In connection with this department there might be one or two assistant instructors, acting under the direction of the Dean of the law school, who might be selected from the practicing attorneys of the city of Tuscaloosa. We are convinced that if this reccommendation were adopted and the course of instruction extended over two years, the law school would be practically, if not absolutely, self-supporting and that this branch of the University would ultimately become a great credit to the State of Alabama.

Abolish Military System.

Your committee has carefully, and conscientiously investigated the merits of the military system. At the last annual meeting of the board of trustees, a resolution was adopted exempting the senior class from the operation of military. In this resolution this class was permitted to board outside the university and to be relieved of all duties incident to miltary discipline. The committee has ascertained that this rule has operated admirably, that the scholarship and conduct of the senior class, is at least equal to that of any preceding class, and that the results attained, fully justify the action of the board of trustees. We recommend that within the next few years, that this rule be extended to the junior

class of the University, and that whenever the circumstances justify it, the military system be entirely abolished. The great body of the alumni of the University oppose the military feature, and your committee believes that whenever it can be eliminated from the university, the prosperity of the institution will materially enhanced. In this connection we recommend the amendment of the law which makes the rate of interest now paid upon the debt due the University by the State dependent upon the continuation of the military features.

Whenever the income of the University is sufficient to justify it, there should be established several additional schools, including a chair of biology, and a school of pharmacy. It would also greatly add to the facilities of the University if a department of dentistry and a school of electric engineering were established, the latter of which might be in connection with the present chair of civil engineering. Most of the great Universities have these school in their course of construction, and in the judgment of your committee they are essential to the growth and prosperity of the State University.

Student Expenses Reduced.

We have made an exhaustive investigation of the expenses devolving upon the students in attendance at the University. It has been urged against the school that the expenses to a student are higher than those of other Universities, with which it comes in competition. There are several respects in which these expenses can be reduced. We believe that the board can be reduced from $12 to $10 and when the attendance is increased, it can be reduced to $8 per month. The incidental fee of $15 per year now assessed against the student, should be abolished. It is practically a charge for tuition and serves no useful purpose. It might be also advisable to slightly reduce the charges for laundry, fuel, lights and attendance. By making the changes suggested your committee believes that the total expenses to the student paid into the cadet fund, could be reduced from the present rate of $172.50 to about $150 and that this reduction would result in a considerable increase in at-

tendance at the University.

Endowment Too Small.

The present endowment of the University from all sources amounts to about $27,000. This includes the royalty from University lands and the interest paid by the state on its indebtedness to the University. $25,000 of this amount is annually consumed in the payment of the salaries of the officers and faculty of the University. It is manifest that this endowment should in some manner be materially increased. The number of students attending the Universities of learning, which have endowments, seem to bear a clearly cut ratio to the amount of such endowment and in this connection your committee beg the leave of incorporating in their report a very valuable paper, prepared with great care and labor by Dr. Eugene A. Smith, of the faculty of the University of Alabama, with the accompanying tabulated statement explaining and illustrating the relation of numbers to the amount of endowment.

Some Statistics of Colleges and their Teachers as Applied to the University of Alabama.

The adverse criticism to which the University of Alabama has been subjected at the hands of its Alumni, by inference its friends, and of others indifferent or distinctly or unfriendly, naturally fall into two classes, viz. 1st—those hingeing upon the number of students in attendance, and 2nd—those based upon the character of the instruction given here, and the results attained, as shown by the scholarship and characters of the young men annually turned out as graduates from this institution.

In the minds of the majority of our citizes, the principal, if not the only criterion by which the success of an institution of learning is measured, is the number of its student body. This general opinion finds its expression in newspaper criticisms as well as in public documents, in which, while the high character of the Alumni of the University and the eminent positions held by many of them in the councils of the State and of the na-

tion are conceded, the institution is yet deemed deserving of public reproach on the ground that with an endowment of $24,000.00 annually of the public funds, it cannot be said far to outstrip in numbers, other institutions in the State which are practically without endowmsnt. Naturally the easiest thing to do in such cases is to hold the faculty responsible for the limited patronage, ascribing it either to the incompetence of the professors or to their lack of judgment in the arrangement of the courses of study. If however, the statistics of a large number of colleges and universities be carefully examined, in which all kinds of faculties, good, bad and indifferent, and all kinds of courses of study are represented, we shall certainly find that the individual peculiarities of the faculties and of the courses of study play a comparatively unimportant part in determining the number of students; but that these peculiarities, in some other respects are of most vital importance, no one will be disposed to deny.

The World Almanac furnishes each year a mass of valuable statistics, among them those of about five hundred of the colleges and universities of the United States. The statistics which have been used by me are those published in the Almanac of 1896. They were supplied by the president of the institutions and represent, presumably with accuracy, their condition at the end of the year 1895.

By means of these statistics and our annual catalogues, it is possible to show beyond denial, that the average attendance of the University of Alabama, since its organization in 1831, has been perfectly normal, and that reproach on this score is absolutely undeserved.

I have gone pretty carefully through the entire list of five hundred or more, and have selected about one hundred and twenty of the better known institution for closer examination, and of these I here lay before you the statistics of fifty, including all the State Universities given in the list, and a number of other institutions well known to all. That the cases selected, represent fairly the entire list, can I think be verified by anyone who cares to do it. In list A, I have arranged the institutions in the order of their incomes; in this, Alabama stands

practically at the foot of the list of State institutions, the Universities of Oklahoma and New Mexico, which have been organized since 1892, being our only competitors for that honor. Calculation has been made in each case of the relation between the amount of the income from all sources (tuition, interest on endowment funds, &c.,) and the number of students in attendance, and in list B, I have arranged these colleges in the order of the number of students for each thousand dollars of income. In this list the University of Alabama holds a most honorable place.

The most remarkable thing revealed by the study of the entire body of college statistics presented in the World Almanac, is the wonderful close correspondence between the *number of students in attendance and the total income of the institution*, whether derived from tuition fees or from interest on endowments or from the two combined.

These statistics furnish also the basis of a rational arrangement of institutions of instructions above the grade of the ordinary primary school, into three classes with distinguishing characteristics, as follows: 1. *The Academy*, in which the instruction is usually confined to the Mathematics English, Latin and Greek, and occasionally to the natural sciences. The teachers are few in number and *each gives instruction on more than one subject.* Academies are usually without an endowment, and their incomes are derived from tuition fees and from the profits of the boarding departments. With instruction in all the departments given by one or two teachers who are *not specialists*, academies may be, and generally are, conducted successfully with an expenditure of $20.00 to $50.00 per student, and the attendance upon which tney may reasonably count is from 20 to 50 students for every $1000 of income.

2. *The Colleges.* In these an essential feature is that the instruction is given by *specialists* in each department. The subjects taught are English, Latin, Greek, Mathematics, and some of the Sciences, usually Chemistry, Geology, Physics, Astronomy and Biology. In the pure college, there is only one faculty, i. e. the philosophical, and no attempt is made to maintain the school of law,

medicine or theology. The employment of specialists and the wide scope given to the instruction by laboratories, collections and the like, make it impossible to carry on the work of the college with the income derived from tuition fees alone, and colleges are therefore necessarily endowed institutions. The statistics of about five hundred institutions in the United States show a surprisingly uniform relation between the amount of the endowment and the number of students. This varies from five up to eight students for each $1000.00 of income, whether derived from interest on the endowment alone, or from that and tuition fees combined. The colleges therefore in the restricted use of the term above given, expend for providing instruction by specialists, from $125 to $200 for each student in attendance. This of course does not mean expenditures for board, books, clothing, &c, but merely for the pay of the instructions and for laboratories and other appliances.

Along with the colleges are to be classed the technical schools, which are only colleges devoted to a more limited number of subjects of instruction, In such schools the necessary oulay for laboratories, apparatus, workshops, and collections is in proportion to the income, very great, and we consequently find that the technical schools expend per student, more perhaps than any other of the classes above named. This expenditure may be as in the case of the Worcester Polytechnic as much as $770 per student, equivalent to 1.3 student for each $1000 of income. The Rose Polytechnic at Terra Haute, Ind., has 2.7, the Massachussetts Institute of Technology 2.9, the Alabama Polytechnic 5.1 students per $1000. And in general, the Agricultural and Polytechnic colleges have a smaller attendance in proportion to their incomes than do the ordinary colleges of approximately similar grade, unless, as will be shown later, they combine with the college proper, the feature of an academy.

3. *The Universities.* Like the colleges, the Uiversities employ *specialists* in the several departments of instruction, and they provide by means of labortatories, apparatus, and collection for the greatest possible efficiency in this instruction. Unlike the colleges, the Universities maintain in addition to the philosophical facul-

ty, the faculties of medicine, law, and theology. In proportion to the wider range of the instruction offered and the perfection of appliances provided, the Universities are still less than colleges, in a position to be supported by tuition fees alone, and they are hence usually well endowed, receiving incomes ranging from $100,000.00 to $1,000,000.00 and more annually. They alone can afford to expend for the employment of specialists for their professors, from $250.00 to $400.00 and more for each student in attendance. The statistics show that the great universities have generally from 2. 5 to 5 students for each $1,000.00 of income—4 being perhaps a fair average.

The above named proportions, while as I feel very sure they express the operation of a natural law, and are therefore measurably fixed and unalterable, are nevertheless, as may be seen by a study of the tables A & B of statistics above presented, apparently liable to many exceptions. If we examine these apparent exceptions we shall find them to be due to the facts that some of the schools cited combine the features of more than one of the grades named. Thus if we find a college with more than eight students to the $1000.00 of income, we may be sure that college has either a preparatory department in connection with it and counts these academic students in its catalogues, or else that the conditions for entrance in the Freshman Class is below the usual college standard. Summer schools, a modification only of the preparatory system of instruction, may be classed here. I have taken the trouble of writing for information on this point to those colleges on the list here presented which show a larger proportion of students than 8 to the $1000.00 of income, and the replies have invariably shown that one or the other of these two explanations holds good. Again, on the other hand, when a college shows a relatively small attendance per $1000.00 of income, say five students or less, it means generally that its courses of instruction or more or less technical in nature, requiring a great outlay for apparatus and laboratories. Of course, these schools, which include the agricultural and mechanical colleges, may like any of the others, bring up their average by having preparatory classes or summer

schools.

In a similar way, there are institutions of a grade intermediate between the college and the university; as for instance colleges with a department of law, or department of medicine, but without the four full faculties.

I have further taken the trouble of preparing two tables relating to the University of Alabama, one giving the statistics of the number of students each year from the organization of the institution up to its suspension at the close of the Civil War, and the other from the reorganization in 1871 up to the present time. I have also taken in to account the probable amount of income derived from tuition fees during the time when there was a charge for tuition. The average attendance from 1831 to 1860 was 97, and the average incomb (annual) $20,000—giving the proportion of 4.8 students to the $1000.00 of income. During the war—1860 to 1865—the average attendance was 231, and the aevrage inceme from tuition and endowment $36,500.00—making a proportion between students and income 6 3 to the $1,000.00. The proportion of students to $1000 of income for 1831 to 1865 was about 5.2 as nearly as we can get at it.

Since 1871 for the first fifteen years, a tuition fee of $40.00 a year was charged, but as a matter of fact, the trustees were empowered to allow three students from each county in the State to attend the university free of tuition. In this way, some 125 students each year paid not tuition, and the ineome of the college from these fees was not more than $2,000 a year, and the total income about $26,000. The average attendanee during this period was 153 and the number of students to the $1,000 of income was about 6.

Since 1886–7 there has been no charge for tuition, and the income has been $24,000.00 from interest on the endowment and about $2,000.00 from fees. The average attendance has been 194.6 and the number of students in porportion to the $1,000.00 of ineome; 7.5. The mean proportion during the twenty-five years since the re-organization in 1871 being 6.6.

All these averages before and during the war, and sinee the re-organization, fall, as may be seen, within the limits above shown to be normal for sehools of this

grade. The number of students per $1,000.00 of income, since the session of 1886–7 when tuition fees were abolished 7.5, is a good showing, in comparison with which we come into competion, and a good showing in comparison with any of the true colleges.

Our average during the present session, 6.1, when the number of students has been run down by causes easily explained and easily avoidable, is still well within the limits characteristic of our class of schools.

During the war there were at times 300 or more students in attendance here during the college year, and the cause is not far to seek. On account of the war, the schools of the State were broken up, and the University had many applications for admission from boys who were not at all prepard to enter the Freshman Class. For their accommodadion, a prepartory school was organized, and kept in operation till the surrender.

If these figures teach anything, they show with undeniable certainty, at least two things—*First*, that during the past twenty-five years (and indeed since its organization in 1831) this University has been conducted *strictly* and *consistently* along the lines of a *college* or *incipient university*, and so far as the number of students is concerned, has attained just precisely the limit set by its income—no more, no less; and moreover, has attained just precisely the degree of succss as regards number of students in proportion to income that all other colleges have done, and all other colleges will do to the end of time.

Second—that there are only two possible ways of increasing permanently, beyond a certain limit, say an *average* of 200, the number of our student body; the *first* being to increase the endowment, thus attracting to us by offering a greater variety and efficiency in our courses of instruction, a greater number of students; the *second* being to abandon once for all the idea of keeping up to the college standard, by either lowering our terms of admission so as to admit into our Freshman Class all who may come to us, or by establishing here a preparatory school for those not yet far enough advanced to enter the Freshman Class as now conditioned. Summer schools

in operation at many of the colleges of the country, are in effect simply schools for elementary instruction either of those who intend later to enter the regular college classes, or of those who need this elementary instruction to prepare them for teaching certain subjects. In either case, preparatory classes or summer schools, the number of students listed in the catalogues is increased.

The history of other colleges shows also that some increase in the number of students—1 to 2 per $1,000—may be made by the institution of accredited schools, i. e. schools from which students are admitted without examination into the Freshman or Sophomore classes of the Universities upon the certificate of the teacher of the school. This system while establishing a closer relationship between the Universities and the secondary schools and in that far beneficial, yet it is in some cases, considered detrimental to the cause of thorough education; for the teachers, desirous of making a good showing by recommending and inducing their students to enter the Universities are too apt to send up young men not fully prepared for the class to which they are recommended. The establishing of the accredited schools therefore appears to be in effect a lowering of the standard of admission into the college.

We have thus, so far as I can see, to choose between two alternatives, so long as our endowment remains at its present figure,—*1st.*, to attract a larger number of students here by lowering the standard of admission, or by instituting preparatory classes, and receive abuse from one class of our citizens, or *2nd.*—to keep to our present standard, without the possibility of permanently increasing our numbers, and thus receive abuse from all the rest. It may be noted that those who would criticise us for lowering the standard, while comprising the most intelligent of our friends and enemies and especially of our alumni, would nevertheless be in the minority, since the great majority would let us alone if we had our halls full of students, in whatever way the might be induced to come.

But there is an obverse to this picture, for there is no good reason why with persistent and determined effort on the part of our alumni and others in the State inter-

ested in the higher education our income should ever remain at the beggarly sum which now represents it.

Not a State in the Union out of its swaddling clothes, shows so badly as Alabama in this particular.

With every $1,000.00 increase in the income of the University we could be certain of six or seven additional students without lowering our standard and even with elevating it.

Respectfully submitted,

EUGENE A. SMITH.

University of Alabama, Jan. 15, 1897.

STATISTICS OF COLLEGES IN THE U. S. (END OF 1895.)

FROM WORLD ALMANAC.

STATE.	NAME.	No. of Students.	Income.	No. of Students for each $1,000 of Income.
Alabama	Alabama Polytechnic Institute	271	$ 52,422	5.4
	University of Alabama	183	26,000	7.0
	Howard College—Baptist	175	16,000	10.9
	Greensboro (So. University—Methodist)	165	15,000	11.0
Arkansas	Arkansas Industrial University	964	60,000	16.0
California	State University	606	288,468	6.9
	Leland Stanford University	990	200,000	4.9
Colorado	No data.			
Connecticut	Yale University	2,400	729,689	3.2
	Wesleyan University—Methodist	300	90,451	3.3
Delaware	Delaware College	78	39,451	2.0
Florida	No data.			
Georgia	State University	237	56,347	4.2
	Atlanta University	227	36,714	5.3
	Mercer University—Baptist	211		
	Emory College—Methodist	288	19,685	14.4 Preparatory & law studies.
Idaho	State University	225	45,000	5.0
Illinois	State University	900	140,000	6.4
	University of Chicago—Baptist	1,850	400,000	4.6
	Medical University of Illinois	2,413	254,556	9.4
	Armour Polytechnic	1,000	96,000	10.4
	Lake Forest University—Presbyterian	2,136	75,000	2.3

	Md. Illinois College—Evang	335	22,450	10.4	
	Northern Illinois College	102	15,000	6.7	
	Augustana College—Lutheran	509	49,939	10.2	
Indiana	State University	680	80,000	8.5	
	DePauw University—Methodist	783	55,000	15.0	Music school.
	Rose Polytechnic	130	48,000	2.7	
	Wabash University	256	33,620	7.9	
Iowa	State University	1,250	131,000	9.5	
	State College	590	71,159	8.2	Preparatory.
	Griswold College—Episcopal	180	40,000	4.5	
Kansas	State University	875	101,000	8.6	
	St. Mary's College—Catholic	207	30,000	6.9	
Kentucky	Central University—Presbyterian	754	28,000	26.9	Preparatory.
	Kentucky University—Disciples	650	17,437	37.3	Academy only.
Louisiana	State University	193	33,756	5.7	
	Tulane University	888	136,583	6.5	
Maine	State College	270	55,000	4.9	
	Bowdoin College—Congregational	364	47,153	7.7	
	Colby University—Baptist	260	37,689	6.9	
Maryland	Johns-Hopkins University	589	190,000	3.1	
	Rock Hill College—Catholic	172	36,000	4.7	
Massachusetts	Howard University	3,290	1,054,484	3.1	
	Institute Technology	1,200	410,000	2.9	
	Boston University—Methodist Episcopal	1,252	208,000	5.9	
	Worcester Polytechnic	210	160,000	1.3	
	Tufts College—Universalist	450	99,368	3.6	
	Williams College	351	83,242	4.3	
	Radcliff College	344	80,000	4.3	
	Mt. Holyoke	335	62,000	5.4	
	Agricultural & Mechanical College	206	60,000	3.4	
Michigan	University of Michigan	3,000	445,805	6.7	
	Michigan Agricultural College	402	65,662	6.1	
	Albian College	630	34,000	18.5	

STATISTICS OF COLLEGES IN THE U. S. (END OF 1895).—Continued.

STATE.	NAME.	No. of Students.	Income.	No. of Students for each $1,000 of Income.
Minnesota	Carleton College	277	$ 35,977	7.4 Summer school.
	University of Minnesota	2,400	225,000	10.6
Mississippi	A. & M. College	336	37,723	8.6
	University of Mississippi	252	36,243	6.9
Missouri	University of Missouri	606	298,468	2.3
Nebraska	University of Nebraska	1,550	272,250	5.6
	Nebraska Wesleyan University	402	16,824	23.9
Nevada	University of Nevada	304	51,000	5.9
New Hampshire	Dartmouth College	560	113,000	4.9
New Jersey	Stephen's Institute Technology	264	34,500	7.6
New Mexico	University of New Mexico	93	14,000	6.6
New York	Columbia College	1,943	711,079	2.7
	Cornell University	1,688	500,000	3.3
	College of New York City	1,695	153,052	11.0
	Syracuse University	1,012	117,556	8.4
	Colgate University	310	89,475	3.4
	Manhattan College	644	64,577	9.8
	Niagara University	240	45,000	5.3
	Well's University	80	40,243	1.9
	Brooklyn Polytechnic Institute	781	34,534	22.0
North Carolina	University of North Carolina	510	46,339	11.0
	Shaw University of North Carolina	362	21,500	16.8
	Wake Forest University	250	20,000	12.5
	Greensboro, N. C., College	160	30,000	5.3

	Davidson College	162	17,000	9.5	
North Dakota	University of North Dakota	170	37,000	4.5	
Ohio	University of Ohio	900	159,693	5.6	
	Oberlin College	1,422	139,737	10.8	
	West Res University	550	135,000	4.0	
	Cage Sch. Appl. Science	230	60,000	3.0	
	Oxford College	208	35,000	5.9	
	Buchtel College	245	30,825	7.9	Prep. and summer school.
	Ohio University	286	30,000	9.5	
	Davidson Univerity	385	30,000	12.8	
	Wilberforce University	305	27,500	11.0	
	Miami University	125	27,000	2.9	
	Horam College	400	20,400	19.6	
Oklahoma	University of Oklahoma	210	16,300	12.8	
Oregon	University of Oregon	500	45,000	11.1	
Pennsylvvania	Pennsylvania St. College	310	120,248	2.5	
	Dickinson College	352	32,107	10.9	
	Washington and Jefferson College	300	28,000	10.7	
	Lehigh University	375	20,000	13.7	
Rhode Island	Brown University	850	193,000	4.4	
South Carolina	South Carolina College	175	28,000	6.3	
	Claflin University	570	25,000	22.8	
	Wafford College	144	13,000	11.0	
	Furman University	139	12,000	11.4	Preparatory department.
South Dakota	University of South Dakota	300	27,305	10.9	
Tennessee	Vanderbilt University	700	107,000	6.5	Preparatory department.
	University of Tennessee	505	49,000	10.3	
	University of South	296	30,304	9.8	Preparatory department.
Texas	University of Texas	700	70,000	11.0	
Utah	University of Utah	500	31,000	16.1	
Vermont	University of Vermont	475	70,000	6.7	
	Middleburg College	105	18,000	5.8	
	University of Virginia	567	136,000	4.0	

STATISTICS OF COLLEGES IN THE U. S. (END OF 1895.)—Continued.

STATE.	NAME.	No. of Students.	Income.	No. of Students for each $1,000 of Income.
Vermont	Washington and Lee University	216	47,750	4.3
	Randolph-Mason College	378	45,752	8.2
Virginia	Richmond College	205	25,427	8.0
	Roanoke College	175	20,000	8.7
	Hampden-Sydney	109	*12,500	8.7
Washington	University of Washington	292	No data.	No data.
West Virginia	Bethany College	150	25,000	13.7
Wisconsin	University of Wisconsin	1,534	400,000	3.8
	Ripan College	225	30,709	7.3
Wyoming	University of Wyoming	106	38,600	2.7

From this list the tables A. & B. have been prepared, selecting about 50 of the State Universities and other moderately well known institutions.

UNIVERSITIES AND COLLEGES OF THE U. S. ARRANGED IN THE ORDER OF THEIR INCOMES—"A."

NAME.	Income.	No. of Students.	No. of Students for each $1,000 of Income.	
Harvard University	$ 1,054,484	3,290	3.1	
Yale University	729,689	2,400	3.2	
Columbia University	711,079	1,963	2.7	
Cornell University	500,000	1,688	3.3	
University of Michigan	445,805	3,000	6.7	
Massachusetts Institute of Technology	410,000	1,200	2.9	
University of Wisconsin	400,000	1,534	3.8	
University of Missouri	298,468	606	2.3	
Universito of California	288,237	2,000	6.9	
University of Nebraska	272,250	1,550	5.6	
University of Minnesota	225,000	2,400	10.6	Summer Schools.
Johns-Hopkins University	190,000	589	3.1	
Worcester Polytechnic	160,000	210	1.3	
University of Ohio	159,693	900	5.2	
University of Illinois	140,000	900	6.4	
Tulane University	136,583	888	6.5	
University of Virginia	136,000	567	4.0	
University of Iowa	131,000	1,250	9.5	
Vanderbilt University	107,000	700	6.5	
University of Kansas	101,000	875	8.6	
University of Indiana	80,000	680	8.5	
Iowa State A. & M. College	71,559	590	8.2	
University of Vermont	70 000	475	6.7	

UNIVERSITIES AND COLLEGES OF THE U. S. ARRANGED IN THE ORDER OF THEIR INCOME—Cont'd.

NAME.	Income.	No. of Students.	No. of Students for each $1,000 of Income.	
University of Texas	70,000	700	10.0	Preparatory.
Michigan A. & M. College	65,662	402	6.1	
Massachusetts A. & M. College	60,000	206	3.4	
University of Arkansas	60,000	964	16.	Mostly preparatory.
University of Georgis	56,347	237	4.2	
Alabama Polytechnic	52,422	271	5.1	
University of Tennessee	49,000	515	10.3	Preparatory.
Rose Polytechnic Institute	48,000	130	2.7	
Washington & Lee	47,750	216	4.3	
University of North Carolina	46,339	510	11.	Summer schools; 250 members.
University of Idaho	45,000	225	5.0	
University of Oregon	45,000	500	11.1	
University of Wyoming	38,600	106	2.7	
Mississippi A. & M. College	37,723	336	8.6	Preparatory.
University of North Dakota	37,000	170	4.5	
University of Mississippi	36,143	252	6.9	
University of Louisana	33,756	193	5.7	
University of Utah	31,000	500	16.1	
Ohio University (Athens, O.)	30,000	286	9.5	Preparatory.
University of the South (Sawanee, Tenn.)	30,304	296	9.8	Grammar School.
South Carolina College	28,000	175	6.3	
University of South Dakota	27,305	300	10.9	

University of Alabama	26,000	183	7.0	
Howard College (Ala.)	16,000	175	10.9	Low standard and preparatory classes.
University of Oklahoma	16,300	210	12.9	Low standard and preparatory classes.
Southern University (Greensboro)	15,000	165	11.	Preparatory and Low standard.
University of New Mexico	14,000	93	6.6	

This list includes all the State Universities of which the statistics have been published. Notice that Alabama stands practically at the foot of the list as regards income. Only Oklahoma and New Mexico just admitted as States are below us. By this time (1897) I venture to say they are ahead of us. E. A. S.

UNIVERSITIES AND COLLEGES, ARRANGED IN THE ORDER OF PROPORTION OF STUDENTS TO EACH $1,000 OF INCOME—"B."

NAME.	Income.	No. of Students.	No. of Students for each $1,000 of Income.
Worcester Polytechnic, Massachusetts	$ 160.000	210	1.3
University of Missouri, Mo	298,668	606	2.3
Columbia University of New York	711,079	1,943	2.7
Rose Polytechnic, Indiana	48,000	130	2.7
University of Wyoming	38,600	106	2.7
Massachusetts Institute of Technology	410.009	1,200	2.9
Harvard University	1,054,684	3,290	3.1
Johns-Hopkins University	190,000	589	3.1
Yale University	729,689	2,400	3.2
Cornell University	500,000	1,688	3.3
Massachusetts A. & M. College	60,000	206	3.4
University of Wisconsin	400,000	1,534	3.8
University of Virginia	146,000	567	4.0
University of Georgia	56,347	237	4.2
Washington and Lee University	47,750	216	4.3
University of North Dakota	37,000	170	4.5
University of Idaho	45,000	225	5.0
Alabama Polytechnic, A. & M.	52,422	271	5 1
University of Nebraska	272,250	1,550	5.6
University of Ohio	159,693	900	5.6
University of Louisiana	33,756	193	5.7
Michigan A. & M. College	65,662	402	6.1

University of Alabama	.....	.....	6.1	Average 25 years, 1871–96
South Carolina College	$ 28,000	175	6.3	
University of Illinois	140,000	900	6.4	
Tulane University, Louisiana	136,583	888	6.5	
Vanderbilt University	107,000	700	6.2	
University of New Mexico	14,000	93	6.6	
University of Michigan	445,805	3,000	6.7	
University of Vermont	70,000	475	6.7	
University of California	288,468	606	6.9	
University of Mississippi	36,243	252	6.9	
University of Alabama	26,000	183	7.0	
Iowa A. & M. College	71,559	590	8.2	Preparatory Department
University of Indiana	80,000	680	8 5	Summer School (195 members).
University of Kansas	101,000	875	8.6	Large number of accredited schools.
Mississippi A. & M. College	37,723	336	8.6	Preparatory class.
University of Iowa	131,000	1,250	9.5	" "
Ohio University at Athens	30,000	286	9.5	" "
University of South (Sewanee)	30,304	296	9.8	" "
University of Texas	70,000	700	10.	" "
University of Tennessee	49,000	505	10.3	" "
University of Minnesota	225,000	2,400	10 6	Summer school and many accredited schools.
Howard College	16,000	175	10.9	Preparatory class.
University of South Dakota	27,305	300	10.9	
University of North Carolina	46,339	510	11	Summer schools of 250 members.
(1896) Southern University (Greensboro)	15,000	165	11	Preparatory class.
University of Oregon	45,000	500	11.1	" "
University of Oklahoma	16,300	210	12.9	" "
University of Arkansas	60,000	964	16	" "

UNIVERSITIES AND COLLEGES, ARRANGED IN THE ORDER OF PROPORTION OF STUDENTS TO EACH $1,000 OF INCOME—Continued.

NAME.	Income.	No. of Students.	No. of Students for each $1,000 of Income.	
University of Utah	$ 31,000	500	16.1	Chiefly preparatory; 342 out of 500 members, only 158 college students.

In this list, which includes all the State Universities of which the statistics have been published, Alabama holds an honorable place among the leading colleges and universities. Colleges having eight and upwards students to $1,000 income, owe their high average attendance, in the case of the large Western colleges, to summer schools and large numbers of accredited schools throughout the State. In the case of the minor colleges the large percentage of students is, *invariably*, the result of low standard of admission and preparatory departments.

STATISTICS UNIVERSITY OF ALABAMA—1831–1865—"C."

	Year.	No. of Students.	
	1831	94	
	1832	111	
	1833	98	
	1833–4	101	
	1834–5	105	
	1835–6	157	Average attendance, 1831 to 1860, 87; 1860 to 1865, 231.
	1836–7	101	
No catalogue printed.	1837–8	38	
	1838–9	61	General average, 1831–1865, 116.
	1839–40	73	
	1840–1	63	Income 1831–1860, about $20,000.00.
	1841–2	82	
	1842–3	79	
	1843–4	101	Number students, 1831–1860, per $1,000 of income, 4 8.
	1844–5	91	
	1845–6	87	
	1846–7	94	Income 1860–1865, about $36,500.
	1847–8	98	
	1848–9	104	
	1849–50	80	Average No. students, 1860–1865, per $1,000 of income, 6.3.
	1850–1	91	
	1851–2	116	
	1852–3	101	Average attendance 1831 to 1865, 116.
	1853–4	108	
	1854–5	112	
	1855–6	128	Average income during same period about $22,380.
	1856–7	144	
	1857–8	112	
	1858–9	83	Average number of students per $1,000 of income from 1831 to 1865 inclusive was about 5.2.
	1859–60	95	
	Average.	97	
	1860–61	137	
	1861–2	154	
	1862–3	256	
	1863–4	341	
	1864–5	265	
	Average.	231	

The report was received and ordered to lie on the table, and the committee discharged.

STATISTICS UNIVERSITY OF ALABAMA—1871-1895—"D."

	Year.	No. of Students.
A. T. Lepton, Pres.	1872-2	107
	1872-3*	135
	1873-4	52
Dr. C. G. Smith, Pres.	1874-5	74
	1875-6	111
	1876-7	164
	1877-8	179
Gen. Gorgas.	1878-9	163
B. B. Lewis, Pres.	1879-80	160
	1880-1	158
	1881-2	154
	1882-3	166
	1883-4†	209
	1884-5	225
	1885-6	241
Gen. Clayton, Pres.	1886-7‡	212
	1887-8	238
	1888-9	208
	1889-90	206
Gen. Jones, Pres.	1890-1‖	220
	1891-2	167
	1892-3	164
	1893-4	166
	1894.5§	180
	1895-6	185
Average of 25 years.		170

Although tuition fees were charged nominally from 1871 to 1886, yet three students from each county were admitted free, hence income from tuition fees amounted only to about $2,000 a year and the total income of University to $26,000 a year.

The income since abolition of tuition fees has been practically the same, $26,000, hence the proportion between the average number of students for 25 years, 1871-1896, has been a little over 6.5.

Notice how the number of students responds to raising and lowering of standards and money panic and to advertisement of the Institution.

The panic of 1873 brought us down the lowest ebb.

The land grant of 1883 and the advertisement of the University consequent thereon, and on a refutation of certain false charges against us brought us up, in the next three years, to our high water mark.

Abolition of tuition fees produced very little effect, since only a very small number paid any tuition before 1886. But notice the dropping off in 1891 after standard of admission was raised, and the increase, notwithstanding "hard times" in 1894, after the conditions of entrance were lowered to the old standard We are back this year to about 160 because of *unfavorable advertisement* during the past six months.

*Panic.
†Congressional grant.
‡Tuition fees abolished.
‖Standard of entrance raised.
§Standard for entrance dropped back to the old figures.

University's Good Standing.

1. It will be seen from the foregoing that the ratio of attendance at the University of Alabama to its endowment is larger than that of other institutions of learning of like character; and the committee is strongly impressed with the conviction that if we of Alabama, would have in our commonwealth a great State institution of learning, which will rank with the best in the land, for high character and a lofty plane of instruction, we must, regardless of all cries of a short-sighted economy, provide an endowment commensurate with the magnitude of the result desired.

That the State of Alabama has not been true to its trust with reference to this institution is a matter of painful history; and it is high time that its shortcomings in the administration of the most sacred obligation should be rectified by its citizens. The State has received the full benefit, at a time when probably it needed it, of funds and property which rightfully belonged to its ward; and common honesty as well as the dignity of our commonwealth alike demand that restitution be made.

This matter has been so forcefully presented, by a distinguished citizen of Tuscaloosa and an Alumnus of the University, Mr. J. H. Fitts, at the present session of the General Assembly, that the committee need say nothing further, except to indulge the hope that the bill now pending, which provides simply for restitution, shall receive the hearty support of every member of both branches of the legislature, who loves his State and has a sincere (regard for the welfare of its children, regardless of party) predilection.

It has been charged that politics enter largely into the control and administration of the affairs of our State college. It may be in some respects that this charge is well founded, but so far as the immediate personnal of the University is concerned, your committee find absolutely no political shade or complexion. Among the students are to be found children of Democratic, Republican and Populistic fathers, all alike earnest in their efforts to acquire knowledge, in their devotion to the college, and in the hope that the legislature may do some-

thing to exalt it to the very highest plane.

Condemn Business Methods.

Perhaps the greatest need and one which most strongly impressed your committee, is the necessity of more practical business methods in the administration of the financial and economic affairs of the institution. We need but give one illustration and this without intimating the slightest suspicion of any wrong doing, but as a simple evidence of the lack of business sagacity and judgment in conducting affairs of great magnitude

From the report made by Examiner Lapsley and also the report made by Examiner Reeves, and from other sources of information placed at the command of the committee, it is found that something like $190,000 of the fund of this University, running through a long serios of years, bas been disbursed by a member of the board of trustees, on his simple check, unaccompanied by any voucher of any character whatever, and without this trustee being placed under any bond in any sum whatever.

We find further in this connection, that the act of the General Assembly of Alabama, approved Feb., 5th, 1885, providing for the sale of certain lands belonging to the University of Alabama, provides, among other things that the trustees of the University shall appoint one or more person, *not of their own body*, to attend to the sale of such lands. That such person or persons shall give bond and good security te be approved by such trustees. That in an ordinance adopted by the trustees, June 18th, 1885, in pursuance of the legislative act referred to said trustees previded for the election of a land commissioner, and also for a committee of three members to be known as the committee on the University Land Grant. The lamented Hargrove was elected as such Land Commissioner, and acted as such up to the time of his death. There was also elected a committee of three as the committee on the University land grand. The ordinance further provides that the office of Land Commissioner shall be in the University buildings, where shall be kept

all the books and papers pertaining to the business of his office; and that at said office, all business connected therewith shall be transacted. It provides that there may be a temporary withdrawal of papers by said commissioner in his discretion, provided, that the same be returned as soon as said temporary purpose is subserved.

Law Willfully Violated.

Your committee find that since the death of Mr. Hargrove, no person has been elected to fill the office which he occupied, but that the chairman of the land grant committee, the Hon. Willis G. Clark of Mobile, has been discharging all the duties of Land Commissioner, (except in selling land) and there is no office of the said land grant commission kept at the University, as required by law, but if there be such an office, it is kept in the city of Mobile. Not only the spirit but the letter of the law itself is thus plainly violated, and the committee respectfully suggest that these matters may be rectified at as early a date as is possible, if we would further, as is greatly desired, a correct and wise business management in controlling the affairs of the University.

Faculty is Too Large.

Along the lines of economy and with the records of other Universities before the committee, we are inclined to think that the number of the faculty is larger than the present endowment and attendance of students will justify. We respectfully suggest to the trustees that much might be saved by uniting two of the chairs as now constituted. For instance, we think that one able professor could well fill the chair of Ancient Language and Literature, as one learned gentleman now fills most acceptably the chair of Modern Languages. While we may be treading on dangerous ground here, we still feel constrained to express the opinion, that one professor could very well fill the chair of History, Philosophy and English, and by way of suggestion, the ad-

ditional school of Electrical Engineering might very well he combined with the chair of Civil Engineering; and should there be an abolition of the military feature, there would no longer be a necessity for a Quartermaster and Commissary. In what your committee have so suggested there would be a saving of $5,100 annually from the endowment fund of the University.

Before concluding this report your committee desires to say that, while they learned of no complaint as to intemperance among the students of the University, but on the contrary their information in that regard was most favorable, yet it would greatly relieve the anxiety of many fond fathers and mothers in Alabama who have sons in that institution, if there were no barrooms in Tuscaloosa. Rumors have floated in the years past, and even until now, detrimental to this great school and they have never been refuted as they should have been, and we believe it to be now the duty of the president and faculty of that institution and the trustees of the same to promptly defend it against these charges, and where they are true, too, with equal promptness, correct the evil.

Injunction to Legislators.

Now, in conclusion, need we say that a great responsibility rests upon the General Assembly of Alabama, with reference to this school, to foster and maintain it, in accordance with the trust reposed in its members by all of our people, for the good of those who are with us now and those who are to come after us. The moral, intellectual, social, and lastly, the pecuniary welfare of our great State depends upon the education of her people. Yes, and even more than this, the very liberties of those who are to follow after us in the ages to come depend upon it. For, as the sun insists upon light and gladness, so does intelligence insist upon Liberty. But, as at night when the sun is gone, poor nature loves to weep, so when education and intelligence are no longer with us, we too will weep, in chains and slavery, in the darkness of

ignorance.

Respectfully submitted,

B. L. HIBBARD,
ED. ROBINSON,
A. P. LONGSHORE,
JNO. Y. KILPATRICK,
Joint Committee.

January 25th, 1897.

MESSAGE FROM THE HOUSE,

Mr. President:

The house has concurred in the senate amendment to

H. 219. To provide for the registration of all claims against the fine and forfeiture fund of Bibb county;

And has originated and passed the following bills and ordered the same sent forthwith to the senate without engrossment:

H. 247. To provide for the more efficient working of the public roads in Greene county, and for the appointment of district road inspectors for Greene county;

H. 452. To authorize and empower the Georgia & Alabama Railway to have as many as fifteen directors.

MASSEY WILSON,
Clerk.

HOUSE MESSAGES.

The house bills in the foregoing house message were severally read once and referred to appropriate committees as follows:

H. 247, to local legislation;

H. 452, to commerce and common carriers.

UNFINISHED BUSINESS.

The senate next considered the unfinished business of yesterday, which was the motion by Mr. Pettus to indefinitely postpone the consideration of the bill,

S. 181. To legalize the holding of the office of county superintendent of education by women of this State.

The motion was lost.

Yeas 8; nays 20.

Yeas:

Messrs. Brewer, Hogue, Kilpatrick, Lee, Matthews, Moody, Pettus and Walker—8.

Nays:

Messrs. President, Abercrombie, Boykin, Brooks, Bu-

chanan, Case, Cunningham, Day, Deans of Shelby, Deens of Covington, Grant, Hall, Hawkins, Hollis, Hundley, McElderry, Nolen, Robinson, Smith, Thomason—20.

The bill passed.

Yeas, 17; nays, 10.

Yeas:

Messrs. President, Abercrombie, Boykin, Brooks, Case, Cunningham, Day, Deans of Shelby, Grant, Hall, Hawkins, Hollis, Hundley, McElderry, Robinson, Smith, Thomason—17.

Nays:

Messrs. Brewer, Brown, Buchanan, Deens of Covington, Kilpatrick, Lee, Matthews, Moody, Nolen, and Pettus—10.

The senate next proceeded to consider

BILLS ON THIRD READING.

The bill,

s. 276. To prohibit physicians and surgeons when testifying as witness from disclosing professional information,

Was read a third time and passed—yeas 23, nays 0.

Yeas:

Messrs. President, Abercrombie, Boykin, Brewer, Brooks, Brown, Buchanan, Case, Cunningham, Day, Deens of Covington, Grant, Hollis, Hundley, Lee, Matthews, McElderry, Moody, Nolen, Robinson, Smith, Sowell, Thomason—23.

The bill,

s. 144. To secure more effectively competent and well qualified jurors in the county of Franklin,

Was taken up and considered.

Pending its consideration the

SPECIAL ORDER AT 11 O'CLOCK A. M.

Was taken up.

It being the bill,

s. 148. To authorize and require an election to be held in this State concerning the regulation of the sale, giving away or delivery of spirituous, vinous or malt liquors in this State, and to declare the effect of such election.

The pending substitute, reported by the committee, was adopted.

Mr. Case offered an amendment, as follows:

Amend the body of the bill to read as follows: All the profits accruing from sales shall be paid into the general school fund, to be distributed equally among the common schools of this State.

On motion of Mr. Brewer, the amendment was laid on the table.

Mr. Hogue moved to amend section 6 of the bill by striking out "monthly" and inserting "weekly."

Adopted.

Mr. Hollis moved to amend section 4 of the bill by striking out "500" and "5000" where they occur and inserting "300" and "3000."

Adopted.

Mr. Case offered an amendment, which, on motion of Mr. Hogue, was laid on the table.

Mr. Hundley moved to lay the bill on the table.

Lost.

Yeas, 12; nays, 19.

Yeas:

Messrs. President, Brewer, Brown, Case, Deans of of Shelby, Deens of Covington, Hawkins, Hundley, Nolen, Pettus, Smith, and Walker—12.

Nays:

Messrs. Abercrombie, Bethune, Boykin, Brooks, Buchanan, Cunningham, Day, Grant, Hall, Hogue, Hollis, Kilpatrick, Lee, Matthews, McElderry, Moody Robinson, Sowell, Thomason—19.

Mr. Moody offered an amendment, as follows:

Strike out the first section, the 11th section, and all of 2nd section preceding the words "each incorporated town or city," where they first appear, and insert after the words "city," where it first appears, the words "in this State."

(2.) After the word "bond" where it appears in line 23 in section 3 insert the words "in such sum as may be prescribed by the legislative body of said town or city, but not less than two thousand dollars."

Which was adopted.

Mr. Pettus offered an amendment, as follows:

Amend by adding at end of bill,

Provided the provisions of this act shall not apply to the counties of Dallas, Marengo, Mobile, Talladega, Coosa, Tallapoosa, Butler, Covington, Conecuh, Jefferson, Shelby,

Elmore, Barbour, Calhoun, Cleburne, Lowndes, Autauga, Montgomery, Limestone, Cullman, Winston and Blount.

Mr. Boykin moved to lay the amendment on the table.

Lost.

Yeas, 13; nays, 17.

Yeas:

Messrs. Abercrombie, Boykin, Brooks, Buchanan, Day, Hall, Hogue, Hollis, Kilpatrick, Lee, Matthews, Moody, and Robinson—13.

Nays:

Messrs. President, Bethune, Brewer, Brown, Case, Cunningham, Deans of Shelby, Deens of Covington, Grant, Hawkins, McElderry, Nolen, Pettus, Smith, Sowell, Thomason, Walker—17.

Mr. Hogue moved to amend by excluding the counties of Perry and Bibb from the provisions of the bill.

At Mr. Hundley's request Mr. Hogue included the county of Madison in his amendment.

And Mr. Hogue's amendment was adopted.

The amendment offered by Mr. Pettus was then adopted.

Pending the consideration of the bill, the senate refused to order it to a third reading.

ADJOURNMENT.

On motion of Mr. Brewer, at 1:18 o'clock P. M. the senate adjourned until to-morrow morning at 10:30 o'clock.

THIRTY-FIRST DAY.

SENATE CHAMBER.

TUESDAY, January 26th, 1897.

The senate met pursuant to adjournment.

Prayer by the Rev. Dr. Eager of the city.

Present:

Messrs. President, Abercrombie, Bethune, Boykin, Brewer, Brooks, Brown, Buchanan, Case, Cunningham, Day, Deans of Shelby, Deens of Covington, Grant, Hall, Hawkins, Hogue, Hollis, Hundley, Kilpatrick, Lee, Matthews, McElderry, Moody, Nolen, Pettus, Robinson, Smith, Sowell, Thomason, Walker—31.

READING OF THE JOURNAL.

On motion of Mr. Robinson, the reading of the journal of yesterday was dispensed with, and it was approved.

INTRODUCTION OF BILLS.

On the call of the districts, bills were introduced, read and referred to appropriate committees, as follows:

By Mr. Sowell (by request)—

s. 328. To regulate the management of building and loan associations in the State of Alabama, and to require semi-annual reports from said associations,

Judiciary;

By Mr. Day—

s. 329. To provide for the more efficient working, keeping up, repairing and improving the public roads and bridges, and opening and making new public roads and bridges in the county of Morgan; to locate, construct and build, within the limits of said county, a system of public roads of a superior grade, to be known and designated as "county roads,"

Local legislation;

By Mr. Deens of Covington, (with notice &c.)—

s. 330. For the relief of A. R. Powell and W. L. Howell, publishers of the Covington Times, for advertising certain State lands for sale,

Finance and taxation;

By Mr. Buchanan, (by request)—

s. 331. To prohibit the sale or otherwise disposing of any alcoholic, vinous or malt liquors or other intoxicating drink within five miles of the Baptist and Methodist churches at Searight in Crenshaw county, Alabama,

Temperance;

By Mr. Bethune—

s. 332. To establish a Branch Agricultural Experiment Station and Agricultural school for the colored race, to be located at Tuskegee, Macon county, Alabama, and to be run in connection with the Tuskegee Normal and Industrial Institute,

Agriculture;

By Mr. Hawkins—

s. 333. To establish a training and reform school for boys; to declare its purposes; to regulate the commitment thereto; to provide for the appointment of a board of control and their compensation; to prescribe their power and duties and provide for the government of said institution; to authorize the governor to commute the sentences of boys under 21 years of age, and to provide how the expense of maintaining the institution shall be paid, and to make appropriations therefor, to locate said institution at the Mt. Vernon Barracks Military Reservation, and set apart said property to the use and benefit of said institution,

Penitentiary;

By Mr. Sayre—

s. 334. To require five insurance companies doing business in the county of Montgomery to pay annually, two hundred dollars each to a fund for the benefit of the fire companies of the city of Montgomery to provide a penalty for a failure or refusal to pay said fund, and to regulate the disposition of said fund,

Corporations;

Also,

s. 335. To confirm the incorporation of the Beauvoir Club of Montgomery, Alabama, and to enlarge the powers and capacities of said club,

Corporations;

Also,

s. 336. To include certain territory in the corporate limits of the city of Montgomery,

Judiciary;

By Mr. Hundley—

s. 337. To fix the time and regulate the holding of the circuit court of Madison county, Alabama,

Judiciary;

By Mr. Smith—

s. 338. To regulate the practice in the circuit court of Mobile county, Alabama,

Judiciary;

Also,

s. 339. To amend section 7 of an act entitled an act to confirm the incorporation and organization of the McGill Institute in the city of Mobile, and to define, declare

and enlarge the powers of said corporation, approved December 9th, 1896,

Corporation;

By Mr. Sayre—

s. 340. To incorporate the Montgomery Trust Company,

Corporations;

Also,

s. 341. To ratify and confirm the charters of the National Building and Loan Association of Montgomery, Ala., and the Banking Building and Loan Company of Montgomery, Ala., corporations duly organized and existing under the general laws of the State of Alabama, and to authorize them to issue paid up stock, and loan money to their members,

Judiciary;

By Mr. Sowell, (by request)—

s. 342. To amend an act entitled an act to establish a new charter for the city of Huntsville, approved December 9th, 1896,

Judiciary,

By Mr. Moody—

s. 343. To amend section 3612 of the Code of Alabama,

Judiciary.

RESOLUTIONS.

Mr. McElderry offered the following resolution, which was referred to the committee on rules:

Resolved, That at any time, on demand of a senator, and by a majority vote, the previous question may be ordered on any or all pending questions.

Mr. Walker, offered the following resolution:

Resolved, That the senate shall meet at 10 o'clock A. M. and recess at 1 P. M. reconvene at 3 :30 P. M. and adjourn at pleasure.

Mr. Boykin offered an amendment to the resolution, as follows:

Provided, this resolution shall go into effect on and after to-morrow.

The resolution and amendment were referred to the

committee on rules.

AMENDMENT TO RULES.

Mr. Walker offered the following amendment to rule 3, of the senate:

Amend rule 3, by striking out the words "one hour" and inserting in lieu thereof the words "thirty minutes."

Which was referred to the committee on rules.

REPORTS OF COMMITTEES.

Bills were reported from committees and read a second time as follows:

By Mr. Pettus from judiciary, favorably, with amendment—

s. 219. To regulate the summoning and attendance of witnesses in civil causes, and prescribed the duties of parties to suits and clerks of courts in reference thereto;

Also, favorably,

s. 256. To require circuit solicitors to attend all circuit courts and supesede county solicitors therein;

Also, favorably,

s. 287. To amend an act entitled "an act to provide for the county court of Blount county, to be held at the court house at Bangor, for the trial of all causes cognizable in said court, arising in the western division of said county, approved February 21, 1893;

Also,

s. 304. To amend section 2 of an act to declare and fix the beginning and duration of the terms of the several executive and judicial officers in the State, approved February 21st, 1893;

Also,

s. 305. To punish any person who willfully injures any railroad track, or places any impediment or obstruction thereon;

Also,

s. 310, To prohibit the running at large of any bull of the cow kind in the county of Russell, and to provide for the punishment of the same;

Also,

s. 312. To pervent the use of Wheeles of Fortune, chance games and rafflings or devices of like kind;

By Mr. Hogue from local legislation, favorably—

s. 289. To provide for the working of the public roads within incorporated cities and towns in the county of Talladega, where no municipal organization is maintained;

Also,

s. 297. To preserve order at the Pensacola District Camp Ground, in Escambia county, Alabama;

Also,

H. 206. For the preservation of game animals and birds in Tallapoosa county;

Also,

H. 207. To better provide for keeping up the public roads of Baldwin county;

Also,

H. 225. To require the commissioners court of roads and revenues for the county of Coosa, to cause road overseers in said county to have loose stones removed from the roads of said county, so far as the same may be practicable;

Also,

H. 230. To prevent hunting on the lands of another without the consent of the owner of the title in fee simple, or of a life estate therein, or of his authorized agent, in the county of Greene, and in Beats number 2, 3, 4, 5, 6, 7, 8, 9, 10, 15, 16 and 17, Hale county, Alabama;

Also,

H. 291. To adjust and extend the bonded debt of the county of Pickens;

Also.

H. 310, To regulate and fix the fees of the constable of Winfield Beat, No. 14, in Marion county, Alabama;

Also,

H. 556. To regulate the ruuning at large of stock in certain portions of Marengo county;

By Mr. Abercombie, education, favorably—

s. 306. To establish a separate school district to be known as the Whatley Public School District of Clarke county, Alabama;

Also,

s. 322. To create a separate school district to include the town of Springville, in St. Clair county;

By Mr. Boykin from commerce and common carriers, favorably—

H. 452. To authorize and empower the Georgia & Alabama Railway to have as many as fifteen directors;

By Mr. Hawkins, from agriculture, favorably—

s. 320. To incorporate the Colored Baptist Brothers' and Sisters' Benevolent Society;

By Mr. Walker, from corporations, favorably, with substitute—

s. 111. Regulating the payment of the wages of employees, laborers and wage-earners engaged in mining and manufacturing in the counties of Jefferson, Walker, Bibb and Blount;

By Mr. Moody, from temperance, favorably, with amendment—

H. 383. To prohibit the sale, giving away or otherwise disposing of spirituous, vinous or malt liquors, or other intoxicating drinks, within five miles of Smith's Chapel, Methodist church and Phillippi church, at Mountainboro;

By Mr. Brewer, from finance and taxation, favorably—

s. 204. To regulate the pay for feeding prisoners in jail;

Also,

s. 296. To fix the rate of the charges for recording and transcribing in the State and county offices in this State;

Also,

s. 299. To regulate the fees of the judge and clerk of the county court of Montgomery county;

Also, with a substitute,

s. 323. To allow all ex-Confederate soldiers who are unable to make a living by manual labor to peddle in this State without license;

By Mr. Pettus, from judiciary, favorably—

s. 316. To fix the terms of office of the mayor, aldermen and other city officers of the city of Montgomery;

Also,

s. 318. To regulate the passage of vehicles on the public roads of Montgomery county.

REPORT FROM SELECT COMMITTEE.

Mr. Brewer from a select joint committee submitted the following report, which was ordered to lie on the table:

Mr. President:

The Joint Committee, appointed to revise the revenue system and laws of the state, and which was authorized to sit during the recess of the General Assembly, beg leave to state that they met on the 6th of January, at Montgomery, and have continued their labors from that day forward, having under consideration the subject which was referred to them.

The Joint Committee, took as a basis of action, the codification of the statutes lately prepared by the Hon. W. L. Martin, and now under consideration by the General Assembly, so far as the same relates to the revenues of the state, being desirous of forming a system in harmony with itself and not in conflict with the labors of the Commissioner. In pursuance of this plan, your Committee have prepared several additional sections and a number of amendments to that part of the report of the commissioner, to be considered, when the Code, as prepared, shall come up for consideration, so that such as may be adopted, may be incorporated in the Code. Your committee were influenced to this method by a verbal understanding with the Code Committee, that that Committee would leave to this Committee, the entire subject of the revenue laws as prepared by the Commissioner; a fact which lends to this report a greater importance.

In their labors your committee have had the valuable advice of Governor Johnston, Auditor White, Commissioner Martin and others, and especially that of ex-Auditor Purifoy, who consented to act as clerk of the Committee.

In conclusion, your Committee ask that allowance be

made for the short time they have had to labor upon the very difficult subject assigned to them, and respectfully submit the result of their deliberations, with the remark, that they have striven to consider alike the interests of the tax payers and of the State.

W. Brewer,
Chairman,
Hiram Hawkins,
On part of the senate.
D. J. Meadow,
J. J. Mitchell,
R. B. Barnes,
On part of the house:

Section 2879. (Page 20, Revenue Code of 1895).

Amend subdivision 2, by inserting after the words "wharfboats", in the first line, the words "landings and warehouses, where charges are made, cotton pickeries, cotton seed oil mills, compresses, grain elevators."

Amend subdivision 4, by adding at the close, the words "and where assessments have been so made against a person, association or corporation, which has not complied with this subdivision, said assessments shall not be subject to revision at the instance of the tax payer, and shall in no case be reduced."

Amend subdivision 6, by striking out the last sentence thereof, which reads as follows: "But this shall not include money on deposit, or kept by persons, firms or corporations, engaged in any regular business, or otherwise taxed."

Amend subdivision 15, by adding at the close, the words "including cotton, pig iron, manufactured goods and other things of value."

Section 3880. (Page 25, Revenue Code of 1895).

Amend subdivisions 2, 3 and 4, by substituting the following subdivisions 2 and 3 therefor:

"2. On the gross amount of commissions, or sums charged and received, during each tax year, by any factor, broker, commission merchant, auctioneer, or dealer in any other kind of property, in buying and selling, or for any other act in the course of their business, for a commission or compensation, by bale, sack, pack-

age, article or otherwise, and the gross receipts, during such tax year, of all cotton pickeries, warehouses, or other places of storage of cotton, merchandise or other produce, cotton compresses, grain elevators, river landings, wharfs, wharfboats, stock yards, whether attached to livery stables or otherwise, and all foreign or domestic companies, doing the business of loaning money, or other business of like character, at the same rate that property is taxed; but this shall not apply to banks and building and loan associations, otherwise taxed."

"3. On the gross incomes of all gas works, water works, electric light companies, telephone companies. street railways, toll bridges and ferries, and also all canals, ditches, channels, passes, tramroads, and pole roads, used for transporting timber or other valuable commodities of commerce, at the rate that property is now taxed."

Section 3881. (Page 26, Revenue Code of 1895).

Amend by striking out the words "five hundred", where they occur in said section, and inserting in lieu thereof, the words "one hundred and fifty."

Section 3887. (Page 63 of the Revenue Code, of 1895).

Amend by striking out the words "fifteenth," in the fifth line from the beginning, and inserting in lieu thereof, the word "first"; also by striking out all in said section after the words "about to remove from the county," in the ninth line.

Section 3893. (Page 53, Revenue Code of 1895).

Amend by striking the words "board of equalization," near the close of the section, and inserting in lieu thereof, the words "court of county commissioners, or other court of like jurisdiction": also by striking out the words "sa id board", in second line from the close and inserting in lieu thereof, "such court."

Section 3895. (Page 51 and 52, Revenue Code of 1895).

Amend by striking out the words "completion of its sittings," in the sixth line from the close, and inserting in lieu thereof, the words "first day of February"; also by striking out the words "but in cases where the state fails the same shall be paid as provided in this chapter

for the per diem of state witnesses before the board of equalization," beginning in the twenty-fourth line; also by striking out the words "board of equalization" in the eighteenh line, from the beginning, and inserting in lieu thereof, the words "court of county commissioners,"

Amend by striking out sections 3898, 3899, 3900 and 3901. (See pages 30 and 31, Revenue Code of 1895). These sections provide for the appointment of city appraisers to work in conjunction with the county tax assessor.

Section 3903. (Page 51, Revenue Code 1895).

Amend by adding at its close the words "and the assessors, of Lowndes and Marengo counties, shall keep an office open, at some place in the county towns, of said counties, from the first of October of each year, to the first of February following."

Section 3904. (Page 39, Revenue Code of 1895).

Amend by striking out the word "either," before the words "in person," in the sixth line from the beginning; also by striking out the words "or by his duly authorized agent" in the same line.

Section 3912. (Code of 1886).

Amend by striking out the words "and appraisers," in the fourth line from the beginning of section, also by adding at the end of said section, the words, "and if the person returning such list demand it, the assessor shall enter the values of such property in his presence."

Section 3915. (Revenue Code of 1895. Page 43.)

Amend by striking out the words "with the estimated value thereof," in the fifth line from the beginning; amend also by inserting the words "and the amount of the bonded indebtedness of the corporation and the market value of the bonds," after the word corporation, in the eight line from the beginning, also by strikiug out the words "with the value thereof," in the ninth line from the beginning.

Section 3918. (Page 50, Revenue Code of 1895.)

Amend by striking out the words "by said board of equalization" in the fifteenth line.

Section 3919. See sec. 26. (Page 46, Revenue Code, 1895).

Amend by striking out the words "by the board of

equalization'' in the sixteenth line.

Section 3921. (Code of 1886, also Acts of 1886–7, p. 3, section 5. Section 15, page 50, Revenue Code, 1895.)

Amend by striking out the words ''and appraisers where there are appraisers'' in the tenth line.

Section 3922. (Revenue Code of 1895).

Amend by striking out the words ''the county board of equalization'' in the fifth line from the beginning, and inserting in lieu thereof the words ''court of county commissioners, or other court of like jurisdiction''; also by striking out the words ''said board'' at the end of said section and inserting in lieu thereof, the words ''such court.''

Section 3927. (Page 49, Revenue Code, 1895).

Amend by inserting the words ''or school districts'' after the words township and range,'' in the fourth line from the beginning.

Section 3936. [Section 6, p. 35, Revenue Code, 1895].

Amend by striking out the word ''reasonable'' in the sixth line, and adding at the close of the section the following words, ''as follows, in counties whose population does not exceed ten thousand inhabitants, not more than fifty dollars; in counties whose populations exceeds ten thousand inhabitants, and does not exeeed twenty-thousand, not more than seventy-five dollars; in counties whose population exceeds twenty thousand inhabitants, and does not exceed thirty thousand, not more than one hundred dollars; in counties whose population exceeds thirty thousand inhabitants and does not exceed forty thousand, nor more than one hundred and twenty-five dollars, in counties whose population exceeds forty thousand and does not exceed sixty thousand, nor more than one hundred and fifty dollars,'' in counties whose population exceeds sixty thousand, not more than two hundred dollars.

Section 3937. [Page 103, Revenue Code of 1895], Amend by striking out the words ''and value thereof'' in the ninth line, also the words ''and value'' elsewhere. when found in this section.

Section 3947. [Page 19, Revenue Code, 1895]. Amend

by striking out the words "and value thereof," in sevente and ninth lines, and also the words "and the value of the property" in the eleventh line and inserting in lieu of "and the value of the property" the words "and the items of property."

Sections 3950, 3951, 3952, 3953, 3954, 3955, 3956, 3957, 3958, 3959, 3960, 3961, 3962, 3963, 3964, 3965, 3966, 3967 and 3968, embracing Article 8 of the chapter on taxation, are amended by striking them out and substituting therefor section 510, 511 of the Code of '86, section 13, page 10, Acts of '86–7, also sections 513, 514, 515, 516, 517, 518, 519 and 520 of the Code of '86, with such amendments as are herein subsequently noted, to-wit:

Amend section 510 of the Code of '86 by striking out the words "second Mondays" in the fourth line from the beginning and inserting in lieu thereof the words "first Monday;" also by striking out the words "July and August" after the word "May," in said section, and inserting in lieu thereof the words "second Monday in June."

Amend section 511 of the Code of '86 by striking out the word "second" in the second line and inserting in lieu thereof the word "first;" also by striking out the word "July" in the third line and inserting "May" in lieu thereof; also by striking out the word "August" in the third line from the close and inserting "June" in lieu thereof.

Section 13, Acts of '86–7, page 10, amend as follows: Strike out "August" where it occurs in said section, and insert "June" in lieu thereof.

Section 513, Code of '86, amend by striking out the words "July and August" and inserting in lieu thereof the words "May and June."

Section 515, Code of '86, as amended by section 14, on page 12 of the Acts '86–7, and as shown on page 55 of the Revenue Code of 1895, is here recommended to be inserted.

Sections 516 and 517, Code of '86, are recommended to be inserted as they are therein set forth.

Section 518 of the Code of '86, amended by striking out the word "August" and inserting "May" in lieu

thereof.

Section 519 of the Code of '86, recommended to be adopted without change.

Section 520 of the Code of '86, amend by striking out the words "after the adjournment of the August term of" in second line, and inserting in lieu thereof the word "when;" also insert the words "or court of like jurisdiction has completed its examination of assessments" in third line after the word "court of county commissioners."

Sections 3969, 3970, 3971, 3972, 3973, 3974, 3975 and 3976 are stricken out as their provisions are either in conflict with the above recommended changes, or are included therein.

Section 3977, amend by inserting in the seventeenth line the words "not later than the first of September of each year." after the words "forward to the auditor;" also insert after the words "tax collector" in the nineteenth line the words "by said date."

Section 3978, amend by inserting in the sixth line, after the words "superintendent of education," the words "not later than the first of September of each year."

Section 3988. [See part section 40, page 70, Revenue Code 1895]. Amend by adding the words "(other than poll taxes)" after the words "escaped taxes" in the seventh line.

Section 3991. Amend by striking out the sentence beginning with the words "For services before the board of equalization" and ending with the words "chairman of the board of equalization," said sentence being the second sentence of the section; also by striking out the words "and for serving each notice issued by the board of equalization, against delinquent land owners, he shall receive a fee of fifty cents," after the words "delinquent tax payer," in the sixth line from the close.

Section 3996. [Revenue Code, page 61,] Amend by adding at the close the words "but a failure to comply with the requirements of this section shall not invalidate the title to any property sold for taxes."

Section 3998. (See section 38, page 63, Revenue Code of 1895.)

Amend by striking out the entire section, and substi-

tuting therefor the following:

"On all delinquent taxes, there shall be paid, by the tax payer, as a penalty, one per cent. for each month or fraction thereof, that said taxes remain delinquent, up to July the first, and after said last named date, the penalty shall continue to run at the rate of eight per cent. per annum."

Section 4002. (Page 64, Revenue Code of 1895).

Amend by adding after the close of the first sentence, in the third line from the close of the section and after the words "in receipt," the words "but if such excess is not called for in three years after such sale, by the person entitled to receive the same, upon the order of the commissioners court or board of revenue, stating the case or cases in which such excess was paid, together with the descriptions of the land sold, when sold, and the amount of such excess, the county treasurer shall pass such excess of money to the credit of the general fund of the county, and make record of the same on his books, and such money shall thereafter be treated as a part of the general fund of the county."

Section 4007. (Page 66, Revenue Code of 1895).

Amend so as to read as follows:

Section 4007. *Shares of stock or interest in private corporations subject to levy and sale for taxes of owner; procedure.* The shares or interest in the stock of private corporations, are subject to levy and sale for the payment of all taxes assessed against the owner thereof. To accomplish such levy and sale, the tax collector shall make out and certify to the judge of probate, a bill against such owner, for the amount of the tax due from him, and any fee to the assessor or collector, and upon the approval thereof by the judge of probate, in writing endorsed thereon, such bill shall operate as a fieri facias, and thereupon such shares and interest, may be, by the tax collector or his deputy, levied upon and sold for the payment of such taxes, fees and costs, without having or obtaining the possession of such stock, by endorsement on the bill approved by the judge of probate, stating the number of shares or other interest on which the levy is made and giving notice thereof to the custodian of the books of transfer of such corporation, if he be

known, and reside within the State, or if he be unknown, or if he reside without the State, by posting at the court house door of the county, and by publication for three successive weeks in a newspaper, published at or near the principal place of business of such corporation; all transfers of stock, made in good faith, for a valuable consideration, before notice of levy is given, are valid and operative, and must prevail over the levy. The levy and the sale thereunder may be made in the county of the residence of the tax payer, or in the county in which the corporation has its principal place of business; and on making the sale, the tax collector, must make to the purchaser, a trasfer in writing; and the purchaser has the right to require the proper officer, to register such transfer on the books of the corporation, and with or without such registry, is entitled to all the rights and interest of the tax payer, as whose property such stock was sold."

Section 4008. (See page 64, Revenue Code of 1895).

Amend by adding at the close, the following words: "But the failure of the tax collector to so exhaust such personal property, shall not invalidate the sale of any real estate, but it shall render the tax collector and the sureties on his official bond, liable for the costs, which he shall be put to, in redeeming such real estate, over and above the amount of the taxes for the collection of which, the sale is made and interest thereon provided for, in case of such redemption."

Section 4010. (Page 66, Revenue Code, 1895).

Amend by striking out the last sentence beginning with the words "but such court has no power," and ending with the words "subject of taxation."

Section 4026. (Revenue Code of 1895, section 45, page 73).

Amend by striking out the words "and State treasurer," wherever they occur in said section.

Section 4027. (Revenue Code).

Amend by striking out the word "by" in the fourth line, from the close of said section.

Section 4039. (Revenue Code, page 28).

Amend by striking out the figures "18" near the close.

Section 4042. (Revenue Code, page 79).

Amend by inserting the words "once a week for three successive weeks," after the words "given by publication" in third line of said section; also by striking out the figures "18" near the close of said section.

Section 4046. (Page 80 Revenue Code).

Amend by striking out the figures "18" near the middle of said section.

Section 4047. (Revenue Code, page 81).

Amend by inserting the words "(without stating the items of which said decree is composed)" after the words "decree was rendered," in the fifteenth line, and also by inserting the words "but no allowance shall be made for the publication of any matter other than is required by law," after the words "for each insertion," in the nineteenth line from the beginning.

Section 4063. (Revenue Code, page 84).

Amend by inserting the words "or section 4002," after the words "preceeding section" in the eighth line.

Section 4069.

Insert, after this section, the following new section: "In case of the sale of any real estate either for collection of the taxes thereon, or for the collection of the taxes due by the owner thereof, said real estate shall be described in all the proceedings incident to the condemnation and sale thereof, and in the certificate and deed, issued to the purchaser, at said sale, in the manner provided for, in section 3913, whether so described in the assessment thereof, or not, and in case of the failure of the tax collector to so describe said property, in any part of said proceeding, certificate or deed, by reason of which said deed may be held insufficient to convey the property intended to be referred to, the said tax collector and the sureties on his official bond, shall be liable to the purchaser at said tax sale, as provided in the preceding section, in cases where the tax sale is declared invalid for other defects. Should, however, the property be insufficiently described in the assessment thereof, the said tax assessor and the sureties on his official bond shall, likewise, be responsible to the purchaser, or in case the said liability has been enforced against said tax collector, then the said assessor and the sureties on his

official bond shall be liable to the tax collector or his sureties, for whatever sum he shall have been compelled to pay to said purchaser, on account of said defect."

Section 4070.

Insert after this section the following new section:

"If in any suit brought for the possession of land sold for taxes, the title of the purchaser, at the tax sale, shall be defeated, on account of any defect in the proceedings under which the sale is had, or on account of any defect in, or insufficiency of; the process by which the owner of the land was brought before the probate court, as is provided, or in the service of said process, or by reason of the failure of the judge of probate, on account of any negligence or refusal on his part, to produce, when called upon, sufficient evidence of the proper issuance and service of said notice or process, or by reason of any other defect or insufficiency, in any of the proceedings for the condemnation and sale of said property, or if the certificate or deed to said purchaser, or any two or more of said causes, the officer or officers, on account of whose omission or error, said defect or insufficiency or defects, or insufficiencies shall have arisen, together with the sureties on their official bonds, shall be liable to the purchaser, whose title shall be thus defeated, and to his assignees for the full sum of the purchase money paid by him at said tax sale, for said property, the cost of the suit in which said title failed, and a reasonable amount to cover the attorney's fees, which the purchaser shall have incurred in attempting to maintain his title under said tax sale, together with interest upon each of these amounts, at the rate of twelve per cent. per annum."

Section 4077. (Page 90 of the Revenue Code).

Amend by adding the words "but this section shall not apply to any action brought by the State."

Section 4082. (Page 92, Revenue Code).

Amend by inserting at the end of the section the words "provided, that where the land sought to be redeemed has been purchased by an individual and not by the State, it shall not be necessary to submit the matter to the auditor."

Sections 4094, 4095, 4096, 4097, 4098, 4099, 4100, 4101, and 4102 amend by striking them out.

Section 4119. (Page 4, of the Revenue Code).

Amend subdivision 3, by adding the words "provided nothing in this paragraph shall be so construed as to alter, repeal or modify, any license now authorized and required to be paid to any district, city or municipality, for municipal purposes."

Amend also subdivision 27, by adding at the end of the subdivision, the sentence, "Any person or firm, who orders for another, or delivers any cartridges within this States, shall be deemed a dealer under this provision.

Amend also subdivision 31, by inserting the words "or more," after the words "two horses" in the second line from the beginning.

Amend also subdivision 37, by striking out the words "each lightning rod company selling lightning rods in person or through agents, and all persons engaged in the business of selling lightning rods, shall pay to the State, a license tax of fifty dollars," composing the first sentence, and substituting therefor, the words "each company or person who sells or delivers or erects any lightning rods, in this State, shall pay to the State a license tax of fifty dollars."

Also amend subdivision 38, of said section, by inserting the words "or delivering," after the word "selling" in each of the second and fourth lines from the beginning.

Also amend subdivision 41, of said section by striking out the entire matter composing said subdivision and substituting therefor the following:

"41. For each auctioneer in any city or town of twenty-five thousand inhabitants or over, a license tax of thirty dollars per annum, shall be paid to the State.

For each auctioneer, in cities or towns of eight thousand inhabitants and less than twenty-five thousand, a license tax of twenty dollars per annum, shall be paid to the State.

For each auctioneer in cities or towns of five thousand inhabitants and less than eight thousand, a license tax of ten dollars per annum, shall be paid to the State.

The term auctioneer, within the meaning of the foregoing provisions, shall be deemed to apply to all persons, selling goods, wares, merchandise, live stock, or other

thing of value, at public outcry, except as is otherwise herein provided, whether they charge for the same or not.

In the following cases sales at public outcry may be made for compensation without a license:

1st. The estate of a decedent by a personal representative or his agent, according to law or the provisions of the will.

2nd. Property conveyed by deed of trust or decreed or ordered to be sold according to the deed, decree or order.

3rd. Any person may sell the agricultural products arising from his own, or other labor under his control, or his real or personal estate, not purchased or sold on speculation.

Amend section 4119 further, by adding the following provisions and subdivisions:

42. For each person, firm or corporation, engaged in business of making abstracts, in cities or towns of twenty thousand inhabitants or over, there shall be paid to the State, a license tax of twenty-five dollars per annum.

For each person, firm or corporation, engaged in the business of making abstracts in cities or towns of ten thousand inhabitants and less than twenty thousand, ten dollars per annum shall be paid to the State.

For each person, firm or corporation, engaged in the business of making abstracts, in cities or towns of less than ten thousand inhabitants, a license tax of five dollars shall be paid.

43. For each base ball and foot ball park, or base ball or foot ball park, where admission fees are charged, a license tax of fifty dollars per annum shall be paid to the State.

44. For each bottler or bottling association, other than bottlers of mineral water, a license tax of twenty-five dollars per annum shall be paid to the State.

45. Each dealer in coal and coke, shall pay to the State, in cities and towns of twenty-five thousand inhabitants or over, twenty-five dollars per annum.

Each dealer in coal and coke, or coal or coke, in cities or towns of five thousand inhabitants, and under twenty-five thousand, shall pay to the State, ten dollars per

annum.

46. Each collecting agency in cities or towns of twenty-five thousand inhabitants, or over, shall pay to the State fifty dollars per annum.

Each such agency, in cities or towns of less than twenty-five thousand inhabitants, shall pay to the State twenty-five dollars per annum.

47. Each construction company, doing business in the State, shall pay to the State the sum of twenty-five dollars per annum.

48. Each dummy railroad, or electric rail road or railway, being operated in this State, shall pay to the State the following license taxes: in counties of forty thousand inhabitants or over, fifty dollars; in counties of thirty thousand inhabitants and less than forty thousand, forty dollars; in counties of less than thirty thousand inhabitants, ten dollars.

49. Each water works company, electric light and power company, or electric light or power company, gas company, operated by a person or company, for public uses, other than a municipality, shall pay to the State the following license taxes: in cities or towns of over twenty thousand inhabitants, one hundred dollars; in cities or towns of ten thousand inhabitants and less than twenty thousand, fifty dollars; in cities or towns of five thousand inhabitants and less than ten thousand, twenty-five dollars; in cities or towns of less than five thousand inhabitants, fifteen dollars.

50. The operator of each set of flying jennies, called also "hobby horse" and "merry go rounds," shall pay to the State the following license taxes: in cities and towns of twenty thousand inhabitants or over, or within one mile of such, for each week five dollars, or for each month ten dollars, or for each year thirty dollars; in cities or towns of less than twenty thousand inhabitants or within one mile of such, for each week two dollars and fifty cents, or for each month five dollars, or for each year twenty dollars. In any locality in the State, other than is provided for above, for each week one dollar or for each month two dollars and fifty cents, or for each year ten dollars.

51. For each device, used by persons as a source of

profit to themselves such as throwing at wooden figures, or any other object of like character, cane racks, knife racks, striking an object to test the strength, blowing to test the lungs or other devices of like character, for each county, in which operated, the person so operating shall pay the State a license tax of ten dollars.

52. Each railroad ticket broker, otherwise known as "scalper," or other railroad ticket agent, except agents actually employed by some railroad, shall pay to the State the following license taxes: in cities or towns of ten thousand inhabitants or over, fifty dollars; in cities or towns with less than ten thousand inhabitants, twenty dollars.

53. Each person or corporation engaged in buying, selling or renting real estate on commission, shall pay to the State the following license taxes: in cities or towns of ten thousand inhabitants or over, fifteen dollars; in cities or towns with less than ten thousand inhabitants, five dollars.

54. Each company, corporation or association, doing business in this State, whose sole or principal business is the loaning of money, whether organized in this State or in another State or country which is not elsewhere subjected to a privilege tax in this section shall pay to this State annually, as other license are paid, one hundred dollars.

55. Any person, firm or corporation, operating yards or enclosures, used for the purpose of storing pig iron therein, and issuing warrants thereon, or receipts therefor, shall pay the State, annually, for each such yard or enclosure, fifty dollars; but this provision shall not apply to such yards, owned and used by manufacturers of pig iron on which no warrants are issued, nor receipts given.

In all cases, in this section where population controls the price of license, the last census report of the Federal government shall govern.

56. All corporations, doing business in this State, whether organized in this State or another State or another State or country, not otherwise herein specifically required to pay a license tax, shall pay annually the following privilege taxes: Corporations whose cap-

ital stock does not exceed fifty thousand dollars, twenty-five dollars; where the capital stock exceeds fifty thousand dollars, and is not over one hundred thousand dollars, forty dollars; where the capital stock exceeds one hundred thousand dollars, and does not exceed two hundred thousand dollars, seventy-five dollars; where the capital stock exceeds two hundred thousand dollars, and does not exceed three hundred thousand dollars, one hundred and twenty-five dollars; where the capital stock exceeds three hundred thousand dollars, and does not exceed four hundred thousand dollars, one hundred and seventy dollars; where the capital stock exceeds four hundred thousand dollars, and does not exceed five hundred thousand dollars, two hundred dollars; where the capital stock exceeds five hundred thousand dollars, and does not exceed one million dollars, three hundred dollars; where the capital stock exceeds one million dollars, five hundred dollars. But the payment of this tax in one county of the State, as evidenced by the license or official certificate of the judge of probate shall be sufficient.

57. Each person, firm or corporation engaged in the business of selling illuminating or lubricating oils, at wholesale, shall pay to the State the following license taxes: In counties whose population does not exceed twenty thousand inhabitants, twenty-five dollars; in counties whose population exceeds twenty-thousand inhabitants, and does not exceed thirty thousand inhabitants, fifty dollars; in counties whose population exceeds thirty thousand inhabitants, and does not exceed fifty thousand, one hundred dollars; in counties whose population exceeds fifty thousand inhabitants, and does not exceed seventy thousand, two hundred and fifty dollars; in counties whose population exceeds seventy thousand inhabitants, five hundred dollars.

In all cases in this section where population controls the price of licenses, and last census report of the Federal government shall govern.

Amend "an act to provide for returning and allowing proper credits for taxes wrongfully assessed and collected, approved December 6, 1888," by repealing sections 1, 2, 3 and 4 of said act; also repeal an act entitled "an

act to provide for the refunding of taxes improperly paid, approved February 18, 1891," and also that part of section 4 of an act entitled "an act to pay salaries to solicitors instead of fees, which they now receive, and to require said fees to be paid into the State treasury, approved February 28, 1887," which reads as follows: "Provided that the surplus money paid into the State and county treasuries, under the provisions of this act, after the solicitors and their assistants have respectively been paid the amounts herein provided for them, shall be paid into the fine and forfeiture fund of the respective counties, in direct proportion to the amount received from the counties respectively."

The act "To require sleeping car companies doing business in this State to pay a privilege tax to the State, approved February 16th, 1893," limiting such tax to one thousand dollars, should be so amended as to require such companies to pay the privilege tax of two thousand dollars, and an additional five hundred dollars for the privilege of selling spiritous, vinous or malt liquors on such cars while in transit through the State.

Mr. President:

Your joint committee on revision of the revenue laws report further that in order to make certain important changes in the revenue laws for the present year, they have prepared and herewith report the accompanying bill, which is respectfully submitted.

W. BREWER,
Chairman.
HIRAM HAWKINS,
On the part of the Senate.
D. J. MEADOR,
J. J. MITCHELL,
R. B. BARNES,
On the part of the House.

The report was received, the committee discharged, and the report ordered to lie on the table.

MESSAGE FROM THE HOUSE.

Mr. President:

The house has originated and passed the following

bills:

H. 23. To fix the compensation of the tax assessor of Montgomery county and authorize the Board of Revenue of said county to pay said tax assessor quarterly such sums of money as said board may deem just and proper, to be charged against the fees and commissions earned by him and collected by the tax collector;

H. 313. To incorporate the Independent Fire Company No. 1, of the town of Highland Park;

H. 363. To repeal the criminal and quasi criminal jurisdiction of justices of the peace of Mobile county;

H. 347. To establish a criminal court for the county of Cherokee, with criminal jurisdiction in misdemeanor cases, and to provide for appointment of a judge and solicitor for such court.

MASSEY WILSON,
Clerk.

HOUSE MESSAGES.

The house bills in the foregoing house message were severally read once and referred to appropriate committees, as follows:

H. 23, to finance and taxation;

H. 813, to corporations;

H. 363, 347, to judiciary.

MESSAGE FROM THE HOUSE.

Mr. President:

The speaker of the house having signed the following house bills, your signature is requested:

H. 96. To prevent persons from hunting with dog or gun or with bird nets upon the land of another in the counties of St. Clair and DeKalb, without first obtaining permission and written consent from the owner or agent of the land, in cases where the same has been or is posted at three conspicuous places thereon;

H. 219. To provide for the registration of all claims against the fine and forfeiture fund of Bibb county.

MASSEY WILSON,
Clerk.

SIGNING OF HOUSE BILLS.

The president of the senate, in the presence of the senate, immediately after their titles had been publicly read bs the secretary, signed the house bills, the titles of which are set forth in the foregoing house message.

UNFINISHED BUSINESS.

The senate next considered the unfinished business at the hour of adjournment on yesterday, which was,

The bill

s. 148. To authorize and require an election to be held in this State concerning the regulation of the sale, giving away or delivery of spirituous, vinous and malt liquors in this State, and to declare the effect of such election.

Mr. Pettus moved to reconsider the vote by which the senate, on yesterday, refused to order the bill to the third reading.

Carried.

Mr. Moody offered the following amendment to the caption of the bill:

Amend caption of the bill to read as follows:

A bill to be entitled an act to regulate the sale, giving away or delivery of spirituous, vinous and malt liquors in this State.

Adopted.

Mr. Case offered the following amendment:

Amend the body of the bill so that the despinsaries shall only sell on certificates from regular practicing physicians for medical purposes,

Which, on motion of Mr. Kilpatrick, was laid on the table.

Mr. Hall moved to amend by excluding the counties of Jackson and Marshall from the provisions of the bill.

Adopted.

Mr. Hall offered the following amendment:

Amend by adding to the end of next to the last section of the bill the words: Provided, further, that this act shall not be so construed as to prevent, in the future, any township, county, village, town or city in this State

from securing local option or prohibition by proper legislation.

Adopted.

The bill, as amended, was read a third time and passed —yeas 18, nays 13.

Yeas:

Messrs. Abercrombie, Bethune, Boykin, Brooks, Buchanan, Cunningham, Day, Deans of Shelby, Grant, Hall, Hogue, Hollis, Kilpatrick, Lee, Matthews, Moody, Robinson, Sowell—18.

Nays:

Messrs. President, Brewer, Brown, Case, Deens of Covington, Hawkins, Hundley, McElderry, Nolen, Pettus, Smith, Thomason, Walker—13.

The senate next proceeded to consider

THE SPECIAL ORDER FOR 12 M. TO-DAY,

Which was the bill,

s. 76. To fix and regulate the salaries and fees of certain officials of the State.

Mr. Hogue offered a substitute for the bill.

Mr. Pettus offered to amend the substitute, as follows:

Strike out the words circuit judges and chancellors, and so much of the bill as relates to circuit judges and chancellors.

Mr. Hogue moved to lay the amendment offered by Mr. Pettus on the table.

Lost—yeas 14, nays 15.

Yeas:

Messrs. Abercrombie, Brewer, Brooks, Brown, Buchanan, Case, Day, Deans of Covington, Hall, Hogue, Hollis, Matthews, Nolen, Robinson—14.

Nays:

Messrs. President, Bethune, Boykin, Cunningham, Deans of Shelby, Grant, Hawkins, Hundley, Kilpatrick, Lee, McElderry, Pettus, Smith, Thomason, Walker—15.

Pending the consideration of the amendment the senate

ADJOURNED

On motion of Mr. Hogue at 1:32 o'clock P. M. until tomorrow morning at 10:30 o'clock.

THIRTY-SECOND DAY.

Wednesday, January 27th, 1897.

The senate met pursuant to adjournment.
Prayer by the Rev. Dr. Eager of the city.
Present:
Messrs. President, Abercrombie, Bethune, Brewer, Brooks, Brown, Buchanan, Case, Cunningham, Day, Deans of Shelby, Deens of Covington, Grant, Hall, Hawkins, Hogue, Hollis, Hundley, Kilpatrick, Lee, Matthews, McElderry, Moody, Nclen, Pettus, Robinson, Smith, Sowell, Thomason, Walker—30.

READING OF THE JOURNAL.

On motion of Mr. Hogue the reading of the journal of yesterday was dispensed with, and it was approved.

QUESTION OF PRIVILEGE.

Mr. Hundley arose to a question of privilege and at his request the following protest was spread on the journal:

Mr. President:

I desire to protest against the passage of House Bill No. 201, "A bill to be entitled an Act, to establish a new charter for the city of Huntsville," for the following reasons:

1. Said bill was passed, and has become a law against the wishes of a very large majority of the people of Huntsville, whom I have the honor to represent upon the floor of this senate.

Temperance;

By Mr. Sayre—

s. 352. To amend section 2844 of the Code,

Judiciary;

Also,

s. 353. To amend section 4532 of the Code of 1886,

Penitentiary;

By Mr. Pettus—

s. 354. To fix the time or period of redemption of any renewal or Funding bonds, which the Governor of this State may issue,

Finance and taxation;

By Mr. Mathews—

s. 355. To fix the time of holding the circuit court in Marion county in this State and regulate the proceedings in such court,

Judiciary;

Also,

s. 356. To create a separate school district in Marion county, Alabama, to be known as the Hamilton School District,

Education;

Also,

s. 357. To amend section 1 of an act To regulate the practice and proceedings in civil cases in the circuit courts of Colbert and Lauderdale counties in this State, and in the supreme court on appeals from judgment rendered in such cases, approved February 18, 1895,

Judiciary;

By Mr. Brooks—

s. 358. To repeal an act entitled an act to regulate the payment of claims against the fine and forfeiture fund of Geneva county,

Judiciary;

Also,

s. 359. To provide for a charter for the town of Hartford in Geneva county, Alabama,

Municipal and county organizations;

REPORTS OF COMMITTEES.

Bills were reported from committees and read a second time as follows:

county,

Education;

Also,

s. 345. To regulate the terms of the grand juries in Blount and Cullman counties,

Judiciary;

Also,

s. 346. To require the payment of one-half of all statutory penalties into the State Treasury, and prescribe the duty of solicitors in reference thereto,

Judiciary;

Also,

s. 347. To establish a separate school district, to be known as the Hornomy School District in Cullman county,

Education;

Also,

s. 348. To create a separate school district to be known as the Mt. Zion School District in Cullman and Winston counties, Alabama,

Education;

By Mr. Abercrombie—

s. 349. To amend section one of an act entitled "an act to amend an act entitled an act for the relief of needy Confederate soldiers and sailors residents of Alabama, who from wounds or other causes, are now unable to earn a livlihood, and for the widows of such as were killed or died in said war, and have not since remarried," approved February 18th, 1895,

Finance and taxation;

By Mr. Thomason—

s. 350. To create a separate school district in Randolph county, Alabama, to be known as the Graham School District, and to define the boundaries thereof,

Education;

By Mr. Bethune—

s. 351. To prohibit the sale, giving away or otherwise disposing of spirituous, vinous, or malt liquors, or intoxicating ciders, bitters or beverages, or fruits preserved in alcoholic liquors within the radius of three miles of Indian Creek Baptist church in Precinct No. 5 in Bullock county, Alabama,

Temperance;

By Mr. Sayre—

s. 352. To amend section 2844 of the Code,

Judiciary;

Also,

s. 353. To amend section 4532 of the Code of 1886,

Penitentiary;

By Mr. Pettus—

s. 354. To fix the time or period of redemption of any renewal or Funding bonds, which the Governor of this State may issue,

Finance and taxation;

By Mr. Mathews—

s. 355. To fix the time of holding the circuit court in Marion county in this State and regulate the proceedings in such court,

Judiciary;

Also,

s. 356. To create a separate school district in Marion county, Alabama, to be known as the Hamilton School District,

Education;

Also,

s. 357. To amend section 1 of an act To regulate the practice and proceedings in civil cases in the circuit courts of Colbert and Lauderdale counties in this State, and in the supreme court on appeals from judgment rendered in such cases, approved February 18, 1895,

Judiciary;

By Mr. Brooks—

s. 358. To repeal an act entitled an act to regulate the payment of claims against the fine and forfeiture fund of Geneva county,

Judiciary;

Also,

s. 359. To provide for a charter for the town of Hartford in Geneva county, Alabama,

Municipal and county organizations;

REPORTS OF COMMITTEES.

Bills were reported from committees and read a second time as follows:

By Mr. Walker, from corporations, favorably, with amendment—

s. 279. To incorporate the Gulf Coast Immigration and Manufacturing Company;

Also, favorably,

s. 293. To incorporate the South Side Reading Club of Birmingham, Alabama;

Also,

s. 294. To confirm the incorporation of the Birmingham Medical College, a corporation organized under the general laws of this State, to declare its powers, and to confer upon it additional rights, privileges and powers;

Also, with amendment,

s. 277. To ratify and confirm the incorporation of the Indian Head Mills of Alabama, and to confer additional powers on said corporation;

By Mr. Hogue, from local legislation, favorably, with amendment—

s. 143. To prevent putting logs, brush and saw-dust in rivers, creeks, branches, lakes, ponds and lagoons in this State, and for the punishment thereof;

By Mr. Abercrombie, from education, favorably—

H. 106. To establish a county school book board to select a uniform series of text books for use in the public schools in the county of Winston;

Also,

H. 160. To establish a separate school district to be known as the Mount Zion school district, composed of a portion of DeKalb, Marshall and Etowah counties, Alabama;

Also,

H. 337. To establish a county school book board to select a uniform series of text books for use in the public schools in the counties of Sumter and Madison;

Also,

H. 205. To authorize the Board of Intendant and Councilmen of the town of York Station, in Sumter county, to issue bonds of the said town for an amount not exceeding two thousand dollars for the purpose of building or procuring suitable school buildings for the use of the resident of said town;

Also, with amendment,

H. 285. To establish and maintain a uniform series of text books for the public schools of the county of Morgan:

Also, favorably,

H. 278. To establish Blossburg School District in Jefferson county, Alabama;

By Mr. Hawkins, from agriculture, favorably—

S. 326. To prevent the sale, barter or permitting to run at large, of animals known to have infectious or contageous diseases;

By Mr. Brewer, from finance and taxation, favorably—

H. 321. For the relief of John T. Bell and making an appropriation to refund to him two hundred dollars the same being money that he paid into the State treasury on the 9th day of January, 1896, for a license to do business as a wholesale liquor dealer in the town of Clayton, Barbour county, Alabama, but immediately thereafter he discontinued business as such wholesale dealer, made application to have said wholesale license changed to a retail license which application was refused, thereby forcing him to pay into the treasury a similar sum for a license to sell liquors at retail in said town of Clayton, thereby paying into the treasury money for two licenses while he operated under but one;

RE-COMMITMENT OF BILLS.

Mr. Walker from the committee on corporations returned the bill—

S. 230. To amend section 1663 of the Code of Alabama,

And asked its reference to the committee on judiciary,

It was so referred,

Mr. Abercrombie from the committee on education, returned the bills—

S. 191. To establish a Technical Institute for the colored race in connection with the Normal school for colored students at Montgomery;

S. 177. To refund to the trustees of the Alabama Baptist Colored University the sum of $315.70 heretofore collected from said University as taxes on its pro-

perty which was exempt as belonging to a school and used for school purposes,

And asked their reference to the committee on finance and taxation,

They were so referred.

REPORT FROM THE COMMITTEE ON RULES.

The president of the senate, (Mr. Pettus presiding), from the committee on rules, reported, favorably, the amendment to rule 3 of the senate as offered by Mr. Walker, on yesterday, as follows:

Amend rule 3 by striking out the words "one hour" and inserting in lieu thereof the words "thirty minutes."

The report was concurred in and the amendment was adopted;

Also, from same committee, reported favorably the resolution offered by Mr. Walker, on yesterday, as follows:

Resolved, That the senate shall meet at 10 o'clock A. M., and recess at 1 P. M., re-convene at 3:30 P. M. and adjourn at pleasure.

The report was concurred in and the resolution was adopted.

MESSAGE FROM THE HOUSE.

Mr. President:

The house has passed the following senate bills:

s. 45. To repeal a certain act entitled "an act to incorporate the town of Alco, in the county of Escambia, and State of Alabama," approved February 13th, 1889, and to provide for the payment of the outstanding indebtedness of said town;

s. 127. To prohibit the sale, giving away or otherwise disposing of spirituous, vinous or malt liquors or intoxicating ciders, bitters or beverages, or fruits preserved in alcoholic liquors within precinct number eight (8), including the incorporations of the towns of Fitzpatrick and Thompson, in Bullock county, Alabama;

s. 201. To establish a charter for the city of Jemison

in Chilton county, Alabama;

And has originated and passed the joint resolution herewith sent relative to the pay of a clerk for the select joint committee appointed to visit the University during the recess of the general assembly.

And has originated and passed the following bill and ordered the same sent forthwith to the senate without engrossment:

H. 826. To provide a charter for the city of Mobile.

MASSEY WILSON,
Clerk.

HOUSE MESSAGES.

The house bill in the foregoing house message was read once and referred to appropriate committee, as follows:

H. 826. To local legislation.

The house joint resolution, sent with the foregoing house message was referred to the committee on rules.

UNFINISHED BUSINESS.

The senate next considered the unfinished business pending at the hour of adjournment on yesterday, which was

The bill,

S. 76. To fix and regulate the salaries and fees of certain officials of the State.

The pending amendment to the substitute, offered by Mr. Pettus was, by leave, withdrawn.

Mr. Hogue offered an amendment, as follows:

Amend the substitute by striking out the words twenty-one hundred dollars when they occur in the substitute, and inserting in lieu thereof, the words, twenty-two hundred and fifty dollars,

Which was adopted.

The substitute was adopted.

And the bill, as amended, was read the third time and passed.

Yeas 26, nays 2.

in Chilton county, Alabama;

And has originated and passed the joint resolution herewith sent relative to the pay of a clerk for the select joint committee appointed to visit the University during the recess of the general assembly.

And has originated and passed the following bill and ordered the same sent forthwith to the senate without engrossment:

H. 826. To provide a charter for the city of Mobile.

MASSEY WILSON,
Clerk.

HOUSE MESSAGES.

The house bill in the foregoing house message was read once and referred to appropriate committee, as follows:

H. 826. To local legislation.

The house joint resolution, sent with the foregoing house message was referred to the committee on rules.

UNFINISHED BUSINESS.

The senate next considered the unfinished business pending at the hour of adjournment on yesterday, which was

The bill,

S. 76. To fix and regulate the salaries and fees of certain officials of the State.

The pending amendment to the substitute, offered by Mr. Pettus was, by leave, withdrawn.

Mr. Hogue offered an amendment, as follows:

Amend the substitute by striking out the words twenty-one hundred dollars when they occur in the substitute, and inserting in lieu thereof, the words, twenty-two hundred and fifty dollars,

Which was adopted.

The substitute was adopted.

And the bill, as amended, was read the third time and passed.

Yeas 26, nays 2.

Messrs. President, Bethune, Brooks, Brown, Buchanan, Case, Cunningham, Day, Deans of Shelby, Deens of Covington, Grant, Hawkins, Hogue, Hollis, Hundley, Kilpatrick, Lee, Matthews, McElderry, Moody, Nolen, Pettus, Robinson, Smith, Thomason—25.

The bill,

s. 275. To amend an act to amend an act entitled an act for the protection of land and plantations from depredations by stock in Bullock county, approved December 8th, 1880, approved February 11th, 1883,

Was read a third time and passed—yeas 25, nays 0.

Yeas:

Messrs. Abercrombie, Bethune, Brooks, Brown, Buchanan, Case, Cunningham, Day, Deans of Shelby, Deens of Covington, Grant, Hall, Hawkins, Hogue, Hollis, Hundley, Kilpatrick, Lee, Matthews, McElderry, Moody, Nolen, Pettus, Robinson, Walker—25.

SPECIAL ORDER SET.

On motion of Mr. Pettus, the bill

s. 251. To amend sections 80, 81, 82 and 83 of the Code of 1886,

Was made the special order immediately after reading of the journal on to-morrow morning.

REPORT FROM COMMITTEE ON ENGROSSED BILLS.

Mr. Sowell, from the committee on engrossed bills reported the following bills correctly engrossed:

s. 76, 148.

REPORT FROM COMMITTEE ON ENROLLED BILLS.

Mr. Matthews, chairman enrolled committee, reported the following bill correctly enrolled:

s. 235. To provide for and regulate the sale of liquors and other intoxicating drinks in Dale county, Alabama.

SIGNING BILLS.

The president of the senate in the presence of the sen-

ate, immediately after its title had been publicly read by the secretary, signed the the senate bill, s. 235, the title of which is set out in the foregoing report on enrolled bills.

SPECIAL ORDER.

The senate next considered the special order set for immediately after committee reports this morning:

The bill,

s. 104. To regulate management and work of convicts in the State of Alabama, providing for the more humane treatment of the convicts, the maintenance of the revenue derived from convict labor, and the more equitable distribution of the competition of convict with free labor.

Pending its consideration, the hour of one o'clock P. M. arrived and, under the resolution. the senate took a recess until 3:30 o'clock this afternoon.

AFTERNOON SESSION.

The senate reconvened at 3:30 o'clock P. M. and was called to order by the president.

A quorum was present.

INTRODUCTION OF BILLS.

By leave, bills were introduced, read the first time and referred to appropriate committees, as follows:

By Mr. Hogue—

s. 360. To provide for the calling of a convention to revise and amend the constitution of this State,

Privileges and elections;

By Mr. Hall—

s. 361. To repeal an act to establish the city court of Bridgeport,

Judiciary;

By Mr. Moody—

s. 362. To amend an act to establish the Tuskaloosa county law and equity court, approved December 9th, 1896. By striking out section 7 and inserting in lieu thereof a provision abolishing the present county court of Tuskaloosa county; by amending sections 5, 6, 15, 25 and 27; by adding section 30, providing that under certain circumstances the solicitor of this court may procure assistance, and by adding section 31, requiring the solicitor of the court to attend preliminary investigations in certain cases,

Judiciary.

RESOLUTIONS.

By leave, Mr. McElderry offered the following resolution:

Resolved, That the senate do consider, for this afternoon, only senate local bills,

Which was immediately considered.

Mr. Hundley moved to amend by making Friday and Saturday instead of to-day.

On motion of McElderry, the amendment was laid on the table,

And the resolution was adopted.

By leave, Mr. Brewer offered a resolution, as follows:

Resolved, That rule 38 be amended by adding the following words after the last words thereof, viz: "but this shall not apply to afternoon sessions as to members in the lobby,"

Which was referred to the committee on rules.

MESSAGE FROM THE HOUSE.

Mr. President:

The house has originated and passed the following bills:

H. 519. To provide for the permanent location of the county site of Russell county by a vote of the qualified electors of said county, and to provide for the disposition of the court house and jail now located at Seale, in the event the county site is permanently located at Gi-

rard, and for other purposes;

H. 683. To ratify and confirm the charter of the "Montgomery Infirmary" and to confer additional powers on said corporation;

H. 690. To authorize the court of county commissioners of Randolph county to issue bonds for the purpose of erecting a new court house for said county at Wedowee, Alabama, and to levy a tax to liquidate the debt to accrue thereby;

H. 438. To amend an act approved February 14th, 1891, entitled an act "to fix the time and place of holding the circuit courts in the various counties composing the ninth judicial circuit of the State of Alabama;

H. 53. To prohibit the sale, giving away or otherwise disposing of spirituous, vinous or malt liquors in Calhoun county, Alabama;

H. 326. To repeal an act entitled an act to amend an an act entitled an act to better provide for keeping up the public roads of Escambia county, which became a law February 15th, 1893;

H. 517. For the reservation of game in Montgomery county;

H. 619. To repeal all laws and parts of laws prohibiting the sale, giving away or otherwise disposing of vinous, spiritous or malt liquors or intoxicating bitters or beverages in Guntersville Beat, in Marshall county, Alabama, and to regulate the sale thereof in said beat;

H. 370. To establish a uniform series of school books to be taught in the public schools of Lauderdale county, Alabama, and to provide for a board to select the same;

H. 729. To authorize the board of mayor and aldermen of the town of Dothan, to issue and negotiate bonds of said town to an amount not exceeding twenty thousand dollars for the establishing and maintaining a system of water works and fire department and providing for the redemption of said bonds;

H. 576. To amend section 1 of an act to prevent hogs from running at large in Madison county, approved February 16th, 1891;

H. 575. To amend section 84 of act to regulate the management of State and county convicts, approved February 18th, 1895, so far as relates to Marion and

Bibb counties;

H. 862. To regulate the sale of spirituous, vinous and malt liquors, within the corporate limits of the town of LaFayette, Alabama;

H. 535. To provide for the more officient assessment and collection of taxes in the State of Alabama;

HOUSE MESSAGES.

The house bills in the foregoing house message were severally read once and referred to appropriate committees as follows:

H. 519, 690, 729, to municipal and county organizations;

H 683, to corporations;

H. 438, to judiciary;

H. 53, 619, 862, to temperance;

H. 326, 517, 576, to local legislation;

H. 370, to local legislation;

H. 575, to penitentiary;

H. 535, to finance and taxation.

REPORT OF COMMITTEES.

By leave, bills were reported from committees, and read the second time as follows:

By Mr. Moody from commerce and common carriers, favorably with amendments—

S. 237. To provide for the regulation of railroad companies and persons in this State; and to provide for the regulation of railroad freight and passenger tariffs; and the location and building of passenger and freight depots and to regulate rates of storage to be charged; to prevent unjust discriminations in the rates charged for transportation of passengers and freight, and to prohibit railroad companies, corporations and lessees in this State from charging other than just and reasonable rates and to prescribe a mode of procedure and rules of evidence in relation thereto; and to appoint commissioners and to prescribe their powers and duties in relation to

the same;

By Mr. Kilpatrick from municipal and county organizations, favorably—

s. 301. To amend sections 2 and 20 of an act entitled an act to establish a new charter for the town of Edwardville in Cleburne county, approved December 9th, 1896;

Also,

s. 288. To alter and define the boundary line between Shelby and St. Clair counties, in the State of Alabama;

Also, with amendment,

H. 324. To authorize the court of county commissioners of Calhoun county, to issue and sell bonds, of said county, not exceeding seventy-five thousand dollars for the purpose of paying the outstanding county warrants;

By Mr. Pettus from judiciary, favorably—

s. 272. To amend section 3634 (3933) of the Code of Alabama, adopted and approved, on 28th of February, 1887;

Also,

s. 274. To repeal section one or rule 1, of rules of the supreme court of Alabama, as published and adopted June 25th, 1896, and which rule is headed or commenced, "1. Abstract of Transcript, Rules in regard to;"

Also,

H. 689. To authorize the preparation of, and filling the jury boxes of the county of Randolph, to legalize the same when prepared and filled, and to provide for drawing juries from said boxes;

By Mr. Walker from corporations, favorably—

s. 340. To incorporate the Montgomery Trust Company;

Local legislation, adversely,

s. 177. That all laws or parts of laws which authorize or require the license taxes arising from the sale of licenses in Mobile county to be paid for the public schools of said county, be repealed.

MESSAGE FROM THE HOUSE.

Mr. President:

The house has originated and passed the following

bills and ordered the same sent forthwith to the house without engrossment:

H. 793. To amend section 7 of an act approved February 21st, 1893, entitled an act to constitute the city of Wetumpka a separate school district, and to provide a board of education therefor;

H. 794. To authorize the mayor and aldermen of the city of Wetumpka to issue bonds of said city for an amount not to exceed ten thousand dollars, for the purpose of purchasing lots or real estate, improved or unimproved, to be used for school purposes in said city, and for erecting, adding to or improving school buildings and furnishing the same;

H. 393. Regulating the payment of the wages of employees engaged in mining and manufacturing in the counties of Jefferson, Walker, Bibb and Blount;

H. 589. To incorporate the Colonial Investment Company.

HOUSE MESSAGES.

The house bills in the foregoing house message were severally read once and referred to appropriate committees, as follows:

H. 793, 794, to education;

H. 393, 589, to corporations.

BILLS ON THIRD READING.

The bill,

S. 144. To secure more effectively competent and well qualified jurors in the county of Franklin,

Was taken up.

Mr. Hundley offered an amendment as follows:

Amend section 3 of the bill by striking out the words therein "in their opinion, are competent," and insert in lieu thereof the following "appearing in the list of qualified electors in said county."

On motion of Mr. Matthews, the amendment was laid on the table.

Mr. Matthews, offered an amendment as follows:

Amend by inserting after the word "commissioners"

the following, "one of whom shall be of opposing political parties."

Which was adopted.

The bill was read the third time and passed—yeas 17; nays, 11.

Yeas:

Messrs. President, Abercrombie, Bethune, Brewer, Brown, Cunningham, Grant, Hogue, Kilpatrick, Lee, Matthews, McElderry, Moody, Pettus, Smith, Thomason, Walker—17.

Nays:

Messrs. Brooks, Buchanan, Case, Day, Deens of Covington, Deans of Shelby, Hall, Hollis, Hundley, Nolen, Robinson—11.

The bill,

s. 241. To remove the disabilities of non-age of William Bellinger Bell, a minor under the age of eighteen years,

Was read a third time and passed.—yeas 19, nays 0.

Yeas:

Messrs. President, Abercrombie, Bethune, Brewer, Brown, Buchanan Hall, Hawkins, Hogue, Hollis, Hundley, Lee, Matthews, McElderry, Nolen, Pettus, Robinson, Thomason, Walker—19.

The bill,

s. 236. To amend section 1 of an act to regulate the trial of certain misdemeanors committed in Bullock county, Alabama, approved February 21st, 1893,

Was read a third time and passed—yeas 20, nays 0.

Yeas:

Messrs. President Bethune, Brewer, Buchanan, Case, Deens of Covington, Grant, Hall, Hawkins, Hogue, Hollis, Hundley, Lee, Matthews, McElderry, Nolen, Pettus, Robinson, Thomason, Walker—20.

The bill,

s. 243. To incorporate the Mobile Light and Railroad Company,

Was taken up.

The amendments reported by the committee were adopted,

The bill, as amended, was read a third time and passed—yeas 22, nays 0.

Yeas:

Messrs. Bethune, Brown, Buchanan, Case, Cunningham, Day, Deans of Shelby, Deens of Covington, Grant, Hawkins, Hogue, Hollis, Hundley, Lee, Matthews, McElderry, Nolen, Pettus, Robinson, Smith, Thomason, Walker—22.

The bill,

s. 228. To establish a separate school district in Calhoun county, to be called Randolph school district,

Was read a third time and passed—yeas 20, nays 0.

Yeas:

Messrs. Abercrombie, Bethune, Brown, Buchanan, Case, Cunningham, Day, Grant, Hall, Hawkins, Hogue, Hollis, Hundley, Lee, Matthews, Nolen, Robinson, Smith, Thomason, Walker—20.

And was ordered to be sent to the house without engrossment.

The bill,

s. 244. To amend an act to create a separate school district in the town of Brewton, Alabama, to define its boundaries and provide for the maintenance of schools therein, approved February 6th, 1895,

Was read a third time and passed—yeas 21, nays 0.

Yeas:

Messrs. Abercrombie, Bethune, Brooks, Brown, Buchanan, Case, Cunningham, Deans of Shelby, Deens of Covington, Grant, Hall, Hawkins, Hogue, Hollis, Hundley, Lee, Matthews, Nolen, Robinson, Smith, Thomason —21.

The bill,

s. 262. To provide for the relief of T. L. Boswell by compensating him out of the county treasury of Talladega county for the registration of electors in said county during the time the said T. L. Boswell has been county registrar of said county, and to provide for the compensation of county registrars of electors in said Talladega county in the future,

Was read a third time and passed—yeas 23, nays 0.

Yeas:

Messrs. Bethune, Brewer, Brooks, Brown, Buchanan, Cunningham, Deans of Shelby, Deens of Covington, Grant, Hall, Hawkins, Hogue, Hollis, Hundley, Lee,

Matthews, McElderry, Nolen, Pettus, Robinson, Smith, Thomason, Walker—23.

And the bill was ordered to be sent to the house without engrossment.

The bill,

s. 116. For the relief of Mrs. Fannie Parrish,

Was taken up.

The substitute was adopted, and the bill was read a third time and passed—yeas 21, nays 0.

Yeas:

Messrs. Abercrombie, Bethune, Brewer, Brooks, Brown, Buchanan, Case, Cunningham, Deens of Shelby, Deens of Covington, Grant, Hawkins, Hogue, Hollis, Hundley, Matthews, McElderry, Robinson, Smith, Thomason, Walker—21.

The bill,

s. 271. To amend sections one, four and seven of an act entitled an act to authorize the mayor and councilmen of Brewton to issue bonds of said city for an amount not exceeding twenty-five thousand dollars, for the purpose of putting in a system of water works, and making other permanent improvements in said city, approved February 14, 1891,

Was read a third time and passed—yeas 20, nays 5.

Yeas:

Messrs. Abercrombie, Bethune, Brewer, Brown, Buchanan, Case, Cunningham, Grant, Hall, Hawkins, Hogue, Hundley, Lee, McElderry, Moody, Nolen, Pettus, Smith, Thomason, Walker—20.

Nays:

Messrs. Brooks, Day, Deens of Covington, Hollis, Robinson—5.

The bill,

s. 266. To authorize the mayor and councilmen of the town of Edwardsville, in Cleburne county, to issue bonds of said town to the amount of twenty-five hundred dollars, for the purpose of purchasing land and erecting thereon and equipping a school building for the benefit of said town,

Was read a third time and passed—yeas 23, nays 0.

Yeas:

Messrs. Abercrombie, Bethune, Brewer, Buchanan, Case, Cunningham, Day, Deens of Covington, Grant, Hawkins, Hogue, Hollis, Hundley, Kilpatrick, Lee, Matthews, McElderry, Nolen, Pettus, Robinson, Smith, Thomason, Walker—23.

And was ordered to be sent to the house without engrossment.

The bill,

s. 245. For the preservation of game, animals and birds in the county of Colbert,

Was read a third time and passed—yeas 25, nays, 0,

Yeas:

Messrs. Abercrombie, Bethune, Brewer, Brooks, Brown, Buchanan, Case, Cunningham, Deans of Shelby, Deens of Covington, Grant, Hawkins, Hogue, Hollis, Hundley, Kilpatrick, Lee, Matthews, McElderry, Nolen, Pettus, Robinson, Smith, Thomason, Walker—25.

The bill,

H. 229. To establish a stock law in beats 1, 8 and 15 in Elmore county,

Was taken up.

The amendment reported by the committee to include beats 2, 3, 4, 5, 6, 7, 11, 12, 13 in the provisions of the bill was adopted.

And the bill, as amended, was read a third time and passed—yeas 15, nays 9.

Yeas:

Messrs. President, Abercrombie, Bethune, Brewer, Cunningham, Grant, Hogue, Hollis, Lee, Matthews, McElderry, Pettus, Smith, Thomason, Walker—15.

Nays:

Messrs. Brooks, Buchanan, Case, Day, Deans of Shelby, Deens of Covington, Kilpatrick, Robinson—9.

The bill,

s. 269. To authorize the Tallassee Falls Manufacturing Company to discontinue a ferry across the Tallapoosa river, near Tallassee, Elmore county, Alabama,

Was read a third time and passed—yeas 25, nays 0.

Yeas:

Messrs. President, Abercrombie, Bethune, Brewer, Brooks, Brown, Buchanan, Case, Cunningham, Day, Deans of Shelby, Deens of Covington, Hawkins, Hogue,

Hollis, Kilpatrick, Lee, Matthews, McElderry, Nolen, Pettus, Robinson, Smith, Thomason, Walker—25.

The bill,

s. 261. To prevent the running at large of stock in certain portions of Talladega county,

Was read a third time and passed—yeas 22, nays 0.

Yeas:

Messrs. Abercrombie, Brewer, Brooks, Brown, Buchanan, Case, Cunningham, Day, Deens of Covington, Grant, Hawkins, Hogue, Hollis, Kilpatrick, Lee, Matthews, McElderry, Nolen, Robinson, Smith, Thomason, Walker—22.

And was ordered to the house forthwith without engrossment.

The bill,

s. 270. For the relief of J. H. Henley, of Clarke county,

Was read a third time and passed—yeas 22, nays 0.

Yeas:

Messrs. Abercrombie, Bethune, Brewer, Brooks, Brown, Buchanan, Case, Cunningham, Day, Deens of Covington, Grant, Hawkins, Hogue, Hollis, Kilpatrick, Lee, Matthews, McElderry, Nolen, Robinson, Smith, Walker—22.

The bill,

H. 334. To prevent stock from running at large in certain parts of Monroe county,

Was taken up.

Mr. Lee offered an amendment as follows:

Amend section one of the bill by adding at the end the words:

"Provided, that in said beat No. 10 stock may be permitted to run at large during the months of December, January and February of each year."

Which was adopted.

The bill was read a third time and passed—yeas 22, nays 0.

Yeas:

Messrs. Abercrombie, Bethune, Brooks, Brown, Buchanan, Case, Day, Deans of Shelby, Deens of Covington, Grant, Hawkins, Hogue, Hollis, Kilpatrick, Lee, Matthews, McElderry, Nolen, Robinson, Smith, Thomason,

Walker—22.

The bill,

s. 286. To create a separate school district in Limestone county, Alabama, to be known as the Athens school district,

Was read a third time and passed—yeas 23, nays 0.

Yeas:

Messrs. Abercrombie, Bethune, Brooks, Brown, Buchanan, Case, Cunningham, Day, Deens of Shelby, Deans of Covington, Grant, Hawkins, Hogue, Hollis, Kilpatrick, Lee, Matthews, McElderry, Nolen, Robinson, Smith, Thomason, Walker—23.

And was ordered to be sent to the house forthwith without engrossment.

The bill,

s. 322. To create a separate school district to include the town of Springville, in St. Clair county,

Was read a third time and passed—yeas 22, nays 0.

Yeas:

Messrs. Abercrombie, Bethune, Brewer, Brooks, Brown, Buchanan, Case, Cunningham, Day, Deans of Shelby, Deens of Covington, Grant, Hawkins, Hogue, Hollis, Matthews, McElderry, Nolen, Robinson, Smith, Thomason, Walker—22.

The bill,

s. 265. To amend the charter of the city of Anniston; to amend sections seventeen (17) and twenty-five (25) of an act approved February 18, 1895, entitled "an act to establish a new charter for the city of Anniston," and to prescribe in what the fines, taxes, licenses, dues and charges due to and collectable by the city of Anniston, shall be paid,

Was read a third time and passed—yeas 20, nays 0.

Yeas:

Messrs. Abercrombie, Bethune, Brooks, Brown, Buchanan, Case, Cunnningham, Deans of Shelby, Deens of Covington, Grant, Hawkins, Hogue, Hollis, Lee, Matthews, McElderry, Robinson, Smith, Thomason, Walker—20.

ADJOURNMENT.

At 5:45 o'clock P. M., on motion of Mr. Deens of Covington, the senate adjourned until to-morrow morning at 10 o'clock.

THIRTY-THIRD DAY.

THURSDAY, January 28th, 1897.

The senate met pursuant to adjournment.
Prayer by the Rev. Dr. Eager of the city.
Present:
Messrs. President, Abercrombie, Bethune, Boykin, Brewer, Brooks, Brown, Buchanan, Case, Cunningham, Day, Deans of Shelby, Deens of Covington, Grant, Hall, Hawkins, Hogue, Hollis, Hundley, Kilpatrick, Lee, Matthews, McElderry, Moody, Nolen, Pettus, Robinson, Smith, Thomason, Walker—30.

READING OF THE JOURNAL.

On motion of Mr. Walker, the reading of the journal of yesterday was dispensed with, and it was approved.

INTRODUCTION OF BILLS.

On the call of the districts, bills were introduced, read the first time and referred to appropriate committees, as follows:

By Mr. Thomason—

s. 363. To create a separate school district in the counties of Chambers and Tallapoosa, to be known as Mountain Springs school district, and to define the boundaries thereof,

Education;

By Mr. Cunningham—

s. 364. For the relief of indigent Confederate soldiers and sailors,

Finance and taxation;

Also,

s. 365. For the better protection of inn or hotel keepers in the counties of Calhoun, Jefferson and Montgomery in the State of Alabama, ahd to enable them to enforce their liens on baggage, &c.,

Judiciary;

By. Mr. Day—

s. 366. To amend section (84) eighty-four of an act to regulate the menagement of State and county convicts approved February 18th, 1895, so far as the same relates to Morgan and Lawrence counties, Alabama,

Penitentiary;

By Mr. Deens of Covington—

s. 367. To compel the repairing public roads in Geneva, Covington and Conecuh counties by persons and corporations injuring the same and to establish a penalty for their failure to do so,

Local legislation;

By Mr. Sowell (by request)—

s. 368. To require owners and operators of toll bridges and railroad bridges to extend equal privileges along or upon such bridges to all persons, firms and corporations engaged in the construction or operation of telegraph or telephone lines,

Commerce and common carriers;

By Mr. Buchanan—

s. 369. To require all railroad companies in Alabama to keep guards or watchmen at at bridges and trestles,

Commerce and common carriers.

RESOLUTION.

By leave Mr Brown offered a resolution as follows:

Resolved, That all pending bills and all bills hereafter coming into the senate for the establishment of separate school districts shall be referred to a committee of three of which the chairman of the committee on education shall be chairman, whose duty it shall be to include all such bills in one bill and report same as early as practicable,

Which was referred to the committee on rules,

MESSAGE FROM THE GOVERNOR.

Office of the Governor.

STATE OF ALABAMA,
EXECUTIVE DEPARTMENT,
MONTGOMERY, Jan'y 28th, 1897.

Mr. President:

I am directed by the governor to communicate to the the senate a message in writing.

Very respectfully,

CHAPPELL CORY,
Private Sect'y.

STATE OF ALABAMA, EXECUTIVE DEPARTMENT,
OFFICE OF THE GOVERNOR,
MONTGOMERY, ALA. Jan. 28, 1897.

To the Senate:

In compliance with the terms of the act approved February 13th, 1879, I have the honor to nominate to you the names of A. D. Sayre, W. S. Thorington and R. F. Ligon jr. as gentlemen learned in the law from whom you are to select one as judge of the city court of Montgomery under said act, for the term of six years beginning with the adjournment of the present session of the general assembly.

JOS. F. JOHNSTON,
Governor.

GOVERNOR'S MESSAGE.

The senate proceeded, in open session, to select and elect a judge of the city court of Montgomery from the names of the three men sent in by the governor.

Those who voted for A. D. Sayre are

Messrs. Abercrombie, Bethune, Boykin, Brewer, Brooks, Buchanan, Case, Cunningham, Day, Deens of Covington, Grant, Hall Hawkins, Hogue, Hollis, Hundley, Kilpatrick, Lee, Matthews, McElderry, Moody, Nolen, Pettus, Robinson, Smith, Thomason, Walker —27.

Mr. Pettus presiding, then declared that A. D. Sayre having received a majority of the votes cast, and all the

votes cast, which was a majority of the entire membership of the senate, was duly and constitutionally elected to be the judge of the city court of Montgomery, for the term prescribed by law.

REPORTS OF COMMITTEES.

Bills were reported from committees and read a second time as follows:

By Mr. Abercrombie—

Education, favorably,

s. 347. To establish a separte schoool district to be known as the Harmony school district in Cullman county;

Also,

s. 344. To establish a separate school district to be known as the Bethlehem school district in Cullman county;

Also,

H. 793. To amend section 7 of an act approved February 21st, 1893, entitled an act to constitute the city of Wetumpka a separate school district, and to provide a a board of education therefor:

Also,

H. 794. To authorize the mayor and aldermen of the city of Wetumpka to issue bonds of said city for an amount not to exceed ten thousand dollars, for the purpose of purchasing lots of real estate, improved or unimproved, to be used for school purposes in said city, and for erecting, adding to, or improving school buildings, and furnishing the same;

Also (with amendment),

H. 370. To establish a uniform series of school books to be taught in the public schools of Lauderdale county, Alabama, and to provide for a board to select the same;

Also,

s. 348. To create a separate school district to be known as the Mt Zion school district in Cullman and Winston counties, Alabama;

Also,

s. 350. So create a separate school district in Randolph county, Alabama, to be known as the Graham

school district, and to define the boundaries thereof.

Also,

s. 356. To create a separate school district in Marion county, Alabama, to be known as the Hamilton school district;

By Mr. Kilpatrick—

Municipal and county organizations, favorably,

s. 359. To provide for a charter for the town of Hartford in Geneva county, Alabama;

Also,

H. 729. To authorize the board of mayor and aldermen of the town of Dothan, to issue and negotiate bonds of said town, to an amount not exceeding twenty thousand dollars, for the establishing and maintaining of a system of water works and fire department, and providing for the redemption of said bonds;

Also,

H. 519. To provide for the permanent location of the county site of Russell county by a vote of the qualified electors of said county, and to provide for the disposition of the court house and jail, now located at Seale, in the event the county site is permanently located at Girard and for other purposes.

Also,

H. 690. To authorize the court of county commissioners of Randolph county to issue bonds for the purpose of erecting a new court house for said county at Wedowee, Alabama, and to levy a tax to liquidate the debt to accrue thereby;

By Mr. Hogue, from local legislation, favorably—

H. 517. For the preservation of game in Montgomery county;

Also.

H. 576. To amend section 1 of an act to prevent hogs from running at large in Madison county, approved February 16th, 1891;

By Mr. Brewer, from finance and taxation, favorably, with amendment—

s. 70. To require the judge of probate, of DeKalb county, to keep in his office a blank book, or blank tablet, of mortgages, and also one of deeds in which to record a description of property, and to keep duplicates

of such for sale;

Also, favorably, with amendment,

s. 280. For the relief of A. A. Coleman;

Also, favorably,

H. 107. For the relief of J. C. Lawrence of Perry county;

Also,

s. 324. To regulate the collection of the poll tax in the Tuscumbia school district of Colbert county;

Also,

H. 23. To fix the compensation of the tax assessor, of Montgomery county, and authorize the board of revenue of said county to pay said tax assessor quarterly such sums of money as said board may deem just and proper, to be charged against the fees and commissions earned by him and collected by the tax collector;

Also,

H. 243. For the relief of Lula Houston Terrell and the heirs of the estate of M. J. Houston, deceased;

By Mr. Pettus, from judiciary, favorably—

s. 337. To fix the time and regulate the holding of the circuit court of Madison county, Alabama;

Also,

s. 242. To allow appeals to the supreme court from decisions in the chancery courts of this State granting or refusing to grant rehearings of a final decree, and to provide the manner in which evidence may be introduced in support of said application;

Also,

s. 358. To repeal an act entitled an act to regulate the payment of claims against the fine and forfeiture fund of Geneva county;

Also, with amendment,

s. 205. To authorize the appointment of certain corporations, to act in any representative capacity whatever;

Also, favorably, with amendment,

s. 321. To provide for the payment of clerks of the circuit courts in certain counties, of the State of Alabama, for keeping the minutes of the circuit courts in said State;

Also, favorably,

s. 338. To regulate the practice in the circuit court of Mobile county, Alabama:

Also,

s. 336. To include certain territory in the corporate limits of the city of Montgomery;

Also,

H. 311. To amend an act entitled an act to amend section 3682 of the code of Alabama, approved February 26th, 1889;

By Mr. Moody, from temperance, favorably—

s. 250. To repeal an act entitled an act to prohibit the sale, giving away, or otherwise disposing of spirituous, vinous or malt liquors at, or within, certain localities in this State, approved February 28, 1881. So far as the same relates to the corporate limits of the city of Fruithurst, in Cleburne county, on the Southern Railway;

Also,

s. 351. To prohibit the sale, giving away, or otherwise disposing of spirituous, vinous or malt liquors, or intoxicating ciders, bitters, or beverages, or fruits preserved in alcoholic liquors within the radius of three miles of Indian Creek Baptist Church, in precinct No. 5, in Bullock county, Alabama;

Also,

H. 53. To prohibit the sale, giving away, or otherwise disposing of spirituous, vinous, or malt liquors in Calhoun county, Alabama;

Also,

H. 302. To prohibit the sale, giving away or otherwise disposing of spirituous, vinous or malt liquors or other intoxicants as a beverage and to regulate the issuing and filing of prescriptions requiring the use of alcoholic spirits for medicinal purposes within three miles of the Geneva Academy in the town of Geneva, county of Geneva;

By Mr. Brewer, from corporations, favorably,

H. 589. To incorporate the Colonial Investment Company.

MESSAGE FROM THE HOUSE.

Mr. President:

The house has originated and passed the following bills:

H. 62. To incorporate a separate school district known as the Ketchan school district;

H. 386. To prohibit the sale, giving away or otherwise disposing of vinous, spirituous or malt liquors, intoxicating ciders, bitters or beverages within a radius of six miles of the Methodist church in Gordon, Henry county, Alabama;

H. 604. To prohibit the sale, giving away or otherwise disposing of spirituous, vinous or malt liquors or intoxicating bitters at or within two and one-half miles of the Sharp Spring Baptist Church, situated in Stout's beat, Franklin county;

H. 699. To repeal an act to amend an act for the protection of lands and plantations from depredation by stock in Bullock county, Alabama, approved February 17th, 1885;

H. 135. To authorize corporations, having the power under their charters, to become sureties on the official bonds of State, county and municipal officers, and of receivers, guardians, administrators, trustees, assignees and executors, and on all bonds or undertakings, required in any judicial proceeding, and on all bonds or undertakings required or permitted by the laws of this State, to be executed with sureties; to regulate the giving of such bonds and prescribe the qualifications of such corporations; and to provide for the relief of such corporations from further liability thereon;

H. 373. To prevent persons who make loans or advance money or other thing of value upon cotton or agricultural products to be delivered in the future, from exacting or contracting for commissions for selling or storing cotton or other agricultural products not actually grown by the borrower or by his tenants on his own lands or cotton controlled by him, except in the county of Lamar;

H. 474. To amend an act to prevent hunting on land without written consent of owner or his agent, in Dallas,

Madison, Autauga, Macon, Sumter, Talladega, Bullock, and Oak Grove, Perryville, and Radfordville beats, of Perry county, and beats number two and nine in Hale county, approved February 18, 1891;

H. 168. To prohibit any person without legal cause or good excuse from entering upon the inclosed premises of another in Jefferson county, Alabama;

H. 693. To declare W. F. Ponder, a liner of the county of Clay, a citizen of the county of Talladega;

H. 814. To provide for the compensation of the registrar of voters of Jefferson county;

H. 543. To require the tax assessor and tax collector of Marion county to keep their offices within one mile of the court house;

H. 525. To prohibit the sale, giving away or disposing of spirituous, vinous or malt liquors or any intoxicating bitters or beverages within one mile of Old Mt. Zion Baptist Church, Barbour county;

H. 524. To amend an act entitled an act to fix the time and place of holding circuit court in the third judicial circuit, approved December 17, 1894;

H. 864. To provide for and regulate the pay of State witnesses in Chambers, Randolph and Tallapoosa counties;

H. 384. To amend section 4 of an act entitled an act, to more effectually secure competent and well qualified jurors in the several counties of this State, approved February 28, 1887, so far as the same applies to Fayette county;

H. 770. To amend section 2 of an act entitled an act, to establish a new charter for the town of Marion, in the county of Perry, approved February 16th, 1870, as amended by act approved February 26th, 1875, and section 3 of said act to establish a new charter for said town, approved February 16, 1870, as amended by an act approved February 28th, 1887, and section 16 of said act to establish a new charter for the town of Marion, in the county of Perry, approved February 16th, 1870;

H. 613. To confirm the incorporation and organization of the Merchants Bank of Florence, Alabama, and to enlarge and increase the powers of said corporation;

And has amended by way of a substitute, and as

amended, has passed,

s. 126. To fix the time for holding the circuit court of the first judicial circuit of Alabama, to prescribe the time for pleading and to regulate the setting of causes for trial therein with the following title:

s. 126. To fix the time for holding the circuit court in the first judicial circuit of Alabama, to prescribe the time for pleading, and to regulate the practice therein.

And has concurred in the senate amendments to the house bills:

H. 334. To prevent stock from running at large in certain parts of Monroe county;

H. 299. To establish stock law in beats 1, 8 and 15, in Elmore county,

And has passed the following senate bills:

s. 112. To regulate the purchase of stationery and other articles by the officials of Lowndes and Barbour counties;

And has amended as therein shown, and as amended has passed senate bill

s. 123. To incorporate the South Alabama Baptist Institute of Thomasville, Clarke county, Alabama.

MASSEY WILSON,
Clerk.

HOUSE MESSAGES.

The house bills in the foregoing house message were severally read once and referred to appropriate committees as follows:

H. 62, to education;
H. 386, 604, 525, to temperance;
H. 699, to agriculture;
H. 135, 373, 693, 524, 864, 384, to judiciary;
H. 474, 168, 770, to local legislation;
H. 814, to privileges and elections;
H. 543, to finance and taxation;
H. 613, to corporations.

The house amendment to the Senate bill s. 126, was referred to the judiciary committee.

The senate concurred in the house amendment to the bill, s. 123, the title of which is set out in the foregoing house message.

Yeas:

Messrs. Abercrombie, Bethune, Boykin, Brewer, Brooks, Brown, Case, Cunningham, Day, Deens of Covington, Grant, Hall, Hawkins, Hogue, Kilpatrick, Matthews, McElderry, Nolen, Pettus, Robinson, Smith, Thomason, Walker—23.

UNFINISHED BUSINESS.

The senate next took up the unfinished business of yesterday, which was, the bill

s. 104. To regulate management and work of convicts in the State of Alabama, providing for the more humane treatment of the convicts, the maintenance of the revenue derived from convict labor, and the more equitable distribution of the competition of convict with free labor.

On motion of Mr. Cunningham, the senate went into committee of the whole to consider the bill.

At the hour of 1 o'clock P. M., under the resolution, the senate took a recess until 3 o'clock this afternoon.

AFTERNOON SESSION.

The senate reconvened at 3 o'clock P. M., and was called to order by the president.

A quorum was present.

The senate proceeded to consider

BILLS ON THIRD READING.

The bill,

s. 251. To amend sections 80, 81, 82 and 83 of the Code of 1886.

The amendment reported by the committee was

adopted.

The bill as amended was read a third time and passed—yeas 22, nays 3.

Yeas:

Messrs. President, Abercrombie, Bethune, Boykin, Brewer, Brooks, Brown, Buchanan, Cunningham, Deens of Covington, Grant, Hall, Hawkins, Kilpatrick, Lee, Matthews, Moody, Nolen, Pettus, Smith, Sowell, Thomason, Walker—22.

Nays:

Messrs. Day, Hollis and Robinson—3.

And it was ordered to be sent to the house forthwith without engrossment.

The bill,

H. 689. To authorize the preparation of and filling the jury boxes of the county of Randolph, to legalize the same when prepared and filled and to provide for drawing juries from said boxes,

Was read a third time and passed—yeas 22, nays 0.

Yeas:

Messrs. Bethune, Brewer, Brooks, Brown, Buchanan, Case, Cunningham, Deens of Covington, Grant, Hall, Hawkins, Hollis, Lee, Matthews, McElderry, Moody, Nolen, Pettus, Robinson, Smith, Thomason, Walker—22.

The bill,

H. 361. To amend section 3 of an act to establish five additional branch agricultural experiment stations and agricultural schools to be located in the 1st, 4th, 5th, 6th and 9th congressional districts respectively, in the State of Alabama, approved February 18th, 1895,

The substitute reported by the committee was adopted,

And the bill was read a third time and passed—yeas 17, nays 1.

Yeas:

Messrs. Brown, Brooks, Buchanan, Case, Cunningham, Day, Deans of Shelby, Grant, Hall, Hawkins, Hollis, Kilpatrick, Lee, Matthews, McElderry, Robinson, Thomason—17.

Nays:

Mr. Hogue voted nay—1.

The bill,

s. 210. To prescribe the duties and qualifications of attorneys and counsellors at law, and regulate their admission to practice in the courts of the State,

Was read a third time and passed—yeas 17, nays 6.

Yeas:

Messrs. Abercrombie, Bethune, Boykin, Brooks, Brown, Buchanan, Cunningham, Deens of Covington, Grant, Hall, Lee, Matthews, McElderry, Pettus, Smith, Thomason, Walker—17.

Nays:

Messrs. Brewer, Case, Day, Hollis, Nolen, Robinson —6.

The bill,

H. 297. To fix the time for pleading in the circuit court of Bibb county,

Was read a third time and passed—yeas 20, nays 0.

Yeas:

Messrs. Abercrombie, Bethune, Brooks, Brown, Case, Cunningham, Day, Deens of Covington, Grant, Hall, Hogue, Hollis, Lee, Matthews, McElderry, Nolen, Pettus, Robinson, Thomason, Walker—20.

The bill,

s. 224. To amend section 4101 of the Code of Alabama,

Under an adverse, report was taken up.

On motion of Mr. Pettus, the bill was laid on the table.

The bill,

s. 305. To punish any person who willfully injures any railroad track, or places any impadiment or obstruction thereon,

Was read a third time and passed—yeas 23, nays 0.

Yeas:

Messrs. Bethune, Boykin, Brewer, Brooks, Brown, Buchanan, Case, Cunningham, Day, Deens of Covington Grant, Hall, Hawkins, Hogue, Hollis, Kilpatrick, Matthews, Nolen, Pettus, Robinson, Smith, Thomason, Walker—23.

And was ordered to be sent to the house without engrossment.

MESSAGE FROM THE HOUSE.

Mr. President:

The house has passed the following bills and ordered the same sent to the senate without engrossment.

H. 573. To provide for repairing and furnishing the capital and capital grounds;

H. 202. To provide guards for the Montgomery county jail;

H. 848. To fix the terms of office of the mayor, aldermen and other city officers of the city of Montgomery.

And has originated and passed,

H. 680. To confirm the incorporation of Huntsville and Monte Sano Improvement Company, and to confer upon it additional powers.

MASSEY WILSON,
Clerk.

HOUSE MESSAGES.

The house bills in the foregoing house message were severally read once and referred to appropriate committees as follows:

H. 573, to finance and taxation;

H. 848, to judiciary;

H. 202, to penitentiary;

H. 680, to corporation.

RESOLUTIONS.

By leave, Mr. Pettus offered a resolution as follows:

Resolved, That all motions to make any bill a special order shall be first reduced to writing, and referred to and report from the committee on rules,

Which was referred to the committee on rules.

SPECIAL ORDERS SET.

On motion of Mr. McElderry the bill, H. 269,

Was made a special order at 12 o'clock M. on Monday

February 1st, 1897.

On motion of Mr. Hogue, the bill, s. 204, was made a special order for to-morrow at 12 o'clock.

MESSAGE FROM THE HOUSE.

Mr. President:

The following house bills having been signed by the speaker of the house your signature is requested.

H. 229. To establish stock law in beats 1, 2, 3, 4, 5, 6, 7, 8, 11, 12, 13 and 15 in Elmore county;

H. 334. To prevent stock from running at large in certain parts of Monroe county.

MASSEY WILSON,
Clerk.

SIGNING HOUSE BILLS.

The president of the senate in the presence of the senare, immediately after their titles had been publicly read by the secretary, signed the house bills, the titles of which are set out in the foregoing house message.

The president of the senate laid before the senate a communication from the secretary of State in regard to a reprint of the Alabama Reports called for, under the joint resolution heretofore concurred in,

Which was referred to the committee on printing.

REPORT OF COMMITTEE ON RULES.

Mr. Pettus, from the committee on rules reported favorably, his resolution requiring motions to set special orders to be made in writing,

The resolution was adopted.

Also, from same committee, reported favorably the house joint resolution providing for the payment of the clerk to the select joint committee to visit and investigate the State University for ten days pay.

The resolution was concurred in,

Also, reported a substitute for Mr. Brewer's resolu-

tion to amend rule 38 of the senate, as follows:

Resolved, That the senator from Lowndes, be exempted from the operation of the last clause of rule 38 at the afternoon session.

The report was concurred in and the resolution adopted.

MESSAGE FROM THE HOUSE.

Mr. President:

The house has passed,

s. 156. To establish a charter for the town of Ashland, Clay county, Alabama,

And has amended as therein shown and as amended has passed,

s. 171. To further regulate the financial affairs of Dallas county.

MASSEY WILSON,
Clerk.

HOUSE MESSAGES.

The senate non-concurred in the house amendment to the senate bill, s. 171,

And asked a committee of conference thereon,

The president appointed as the committee on the part of the senate:

Messrs. Pettus, Smith and Boykin.

The senate resumed consideration of,

BILLS ON THIRD READING.

The bill

H. 342. To create a separate school district to be known as Belmont School District, in Sumter county, and to define the boundaries thereof,

Was read a third time and passed.—yeas 24, nays 0.

Yeas:

Messrs. President, Abercrombie, Brewer, Brooks, Brown, Buchanan, Case, Cunningham, Day, Deens of

Covington, Grant, Hall, Hawkins, Hogue, Kilpatrick, Lee, Matthews McElderry, Moody, Nolen, Pettus, Smith, Thomason, Walker—24.

The bill

s. 221. To require persons receiving free tuition in State Normal Schools to teach five years in the State,

Was read a third time and passed.—yeas 13, nays 8.

Yeas:

Messrs. Abercrombie, Bethune, Brooks, Brown, Buchanan, Cunningham, Grant, Hall, Hawkins, Matthews, Moody, Pettus, Thomason.—13.

Nays:

Messrs. President, Case, Hogue, Kilpatrick, McElderry, Nolen, Robinson and Walker.—8.

Mr. Pettus moved to reconsider the vote by which the bill, s. 221, was just passed.

Carried.

On motion of Mr. Kilpatrick the bill was indefinately postponed.

The bill

H. 505. To establish a separate school district to be known as Flat Rook district, in Randolph county,

Was read a third time and passed.—yeas 20, nays 0.

Yeas:

Messrs. President, Bethune, Brown, Buchanan, Cunningham, Day, Deens of Covington, Grant, Hall, Hogue, Hollis, Kilpatrick, Lee, Matthews, McElderry, Nolen, Robinson, Thomason, Walker.—20.

The bill

s. 340. To incorporate the Montgomery Trust Company,

Was read a third time and passed.—yeas 24, nays 0.

Yeas:

Messrs. President, Abercrombie, Bethune, Brewer, Brooks, Brown, Buchanan, Cunningham, Day, Deens of Covington, Grant, Hall, Hogue, Hollis, Kilpatrick, Lee, Matthews, McElderry, Moody, Nolen, Pettus, Robinson, Smith, Thomason.—24,

And was ordered to be sent to the house forthwith, without engrossment.

The bill

s. 300. To amend an act entitled an act to amend

section 1761 (2098) of the Code of Alabama, approved February 28th, 1889,

Was read a third time and passed.—yeas 23, nays 0.

Yeas:

Messrs. President, Abercrombie, Bethune, Brown, Buchanan, Cunningham, Day, Deens of Covington, Grant, Hall, Hawkins, Hollis, Kilpatrick, Lee, Matthews, McElderry, Moody, Pettus, Robinson, Smith, Sowell, Thomason, Walker—23.

The bill

s. 291. To prevent families, or any member thereof, being disturbed at their homes by the firing off of pistols, guns, cannon-crackers, fire-crackers, or like noises,

Was read a third time and passed.—yeas 23, nays 0.

Yeas:

Messrs. President, Abercrombie, Bethune, Brooks, Brown, Buchanan, Deens of Shelby, Deens of Covington, Grant, Hall, Hawkins, Hogue, Hollis, Kilpatrick, Lee, Matthews, McElderry, Pettus, Robinson, Smith, Sowell, Thomason, Walker.—23.

The bill

s. 290. For the better protection of wood and timber,

Was taken up.

The amendment reported by the committee was adopted.

The bill

Was read a third time and passed.—yeas 19, nays 1.

Yeas:

Messrs. President, Abercrombie, Bethune, Brooks, Brown, Deens of Covington, Grant, Hall, Hawkins, Hollis, Kilpatrick, Lee, Matthews, McElderry, Moody, Pettus, Sowell, Thomason, Walker.—19.

Nays. Mr. Buchanan voted nay.—1.

The joint resolution,

s. 217. Looking to the reduction of the expenses of the State government,

Was read and adopted.

The bill

s. 149. To amend section 1319 of the Code,

Was taken up.

Mr. Moody offered an amendment to the amendment reported to the substitute, which was adopted,

And the amendment to the substitute was then adopted.

The substitute was then adopted,

The bill as amended was read a third time and passed. yeas 20, nays 0.

Yeas:

Messrs. Abercrombie, Brooks, Brown, Buchanan, Cunningham, Deens of Covington, Grant, Hall, Hogue, Hollis, Lee, Matthews, McElderry, Moody, Nolen, Robinson, Smith, Sowell, Thomason, Walker.—20.

The bill

H. 380. To regulate the fine and forfeiture fund of Elmore county, and to better provide for the payment of claims registered against said fund, by appropriating from the general fund to the fine and forfeiture fund money to pay registered claims against said fine and forfeiture fund, and to provide for the payment of fines assessed or forfeitures rendered by a competent court in fine and forfeiture script of said county,

Was taken up.

The amendment reported by the committee was adopted.

The bill as amended was read a third time and passed. yeas 18, nays 0.

Yeas:

Messrs. Abercrombie, Bethune, Brooks, Buchanan, Cunningham, Day, Deens of Covington, Hall, Hogue, Hollis, Kilpatrick, Matthews, McElderry, Robinson, Smith, Sowell, Thomason, Walker—18.

The bill,

S. 231. To establish a county court for the county of Cleburne,

Was read a third time and passed—yeas 19, nays 0.

Yeas:

Messrs. Abercrombie, Bethune, Brooks, Buchanan, Cunningham, Deens of Covington, Grant, Hall, Hawkins, Hogue, Hollis, Lee, Matthews, McElderry, Nolen, Robinson, Smith, Thomason, Walker—19.

The bill,

H. 288. To prevent stock from running at large in sections 4, 5, 6, 7, 18, 19 and the N. W. $\frac{1}{4}$ and W. $\frac{1}{2}$ of N. E. $\frac{1}{4}$ and N. $\frac{1}{2}$ of S. W. $\frac{1}{4}$ of Section 8, and that part

of Section 3 west of the Big Tallapoosa River, all in township 19, of range 10, in Randolph county,

Was read a third time and passed—yeas 17, nays 0.

Yeas:

Messrs. Abercrombie, Bethune, Buchanan, Cunningham, Deens of Covington, Grant, Hawkins, Hogue, Hollis, Lee, Matthews, McElderry, Moody, Nolen, Robinson, Smith, Walker—17.

ADJOURNMENT.

At 5:50 o'clock P. M., on motion of Mr. Kilpatrick, the senate adjourned until to-morrow morning at 10 o'clock.

THIRTY-FOURTH DAY.

SENATE CHAMBER,

FRIDAY, January 29th, 1897.

The senate met pursuant to adjournment.

Prayer by Rev. Dr. Eager of the city.

Present:

Messrs. President, Abercrombie, Bethune, Boykin, Brewer, Brooks, Brown, Buchanan, Case, Cunningham, Day, Deens of Covington, Grant, Hall, Hawkins, Hogue, Hollis, Hundley, Kilpatrick, Lee, Matthews, McElderry, Moody, Nolen, Pettus, Robinson, Smith, Thomason, Walker—29.

READING OF THE JOURNAL.

On motion of Mr. Cunningham, the reading of the journal of yesterday was dispensed with, and it was approved.

INTRODUCTION OF BILLS.

On the call of the districts, bills were introduced, read

and referred to appropriate committees, as follows:

By Mr. Brown—

s. 370. To punish persons making false representations to obtain signatures to any petition or memorial,

Judiciary;

Also, (by request)—

s. 371. To allow judges of probate compensation for services rendered in making out applications, taking affidavit of applicant to same, filing original and forwarding copies of the original application to the State auditor, of needy disabled confederate soldiers, and the widows of such as were killed or died in the war,

Finance and taxation;

Also,

s. 372. To regulate the assessment, disposition and collection of the fine and forfeiture fund in the county of Blount,

Judiciary;

By Mr. Abercrombie (by request)—

s. 373. To better provide for the refitting and refurnishing of the office and library of the State superintendent of education of Alabama, with suitable cases, fixtures, files, furniture and appliances, for the records of said office,

Finance and taxation;

By Mr. McElderry—

s. 374. To further regulate the holding circuit courts in Clay county, Alabama,

Judiciary;

By Mr. Lee—

s. 375. To amend sections 1 and 3 of an act to incorporate the South Alabama & Gulf Railroad Company, approved Feb. 18th, 1895,

Commerce and common carriers;

By Mr. Kilpatrick (with notice, &c.)—

s. 376. For the relief of Joe Lambert, as tax collector for Wilcox county, Alabama,

Finance and taxation;

By Mr. Moody (by request)—

s. 377. To define who is liable to road service or road tax, and to repeal all acts in conflict with this act,

Education;

Also (by request)—

s, 378. To define who is subject to road service or road tax,

Education;

Also (by request)—

s. 379. To provide for the collection and disposal of the poll tax and for exemptions from said tax,

Education;

By Mr. Thomason—

s. 380. To regulate the sale of spirituous, vinous and malt liquors in the corporate limits of the town of Roanoke, in Randolph county, Alabama,

Temperance;

By Mr. Deans of Shelby—

s. 381. To declare unlawful and void all arrangements, contracts, agreements, trusts or combinations made with a view to lessen, or which tend to lessen, free competition in the importation or sale of articles imported into this State, or in the manufacture or sale of articles of domestic growth or of domestic raw material; to declare unlawful and void all arrangements, contracts, agreements, trusts or combinations between persons or corporations, designed or which tend to advance, reduce or control the price of such product or article to producer or consumer of any such product or articles; to provide for the forfeiture of the charter and franchise of any corporation, organized under the laws of this State, violating any of the provisions of this act from doing business in this State; to require the attorney-general of this State to institute legal proceedings against any such corporations violating the provisions of this act, and to enforce the penalties prescribed; to prescribe penalties for any violation of this act; to authorize any person or corporation, damaged by any such trust, agreement or combination, to sue for the recovery of such damage, and for other purposes,

Judiciary;

By Mr. Abercrombie—

s. 382. To create a separate school district in Cleburne county to be known as Oak Level school district,

Education.

Bills were reported from committees and read a second time as follows:

By Mr. McElderry from judiciary, favorably,

s. 308. To vacate a part of the plat of certain lands in Jefferson county, made by the Elyton Land Company, a corporation in Jefferson county;

Also,

H. 250. To allow the presiding judge of the circuit court in any of the counties in the first, third, fourth, fifth, sixth, seventh, ninth and thirteenth judicial circuits and in Cullman county in the eighth judicial circuit, to order the jury box in either of such counties, except in the counties of Dallas, Monroe, Etowah, DeKalb and Mobile to be refilled when in his opinion the box has become illegal or irregular and to provide for refilling the box;

By Mr. Kilpatrick from judiciary, favorably,

s. 345. To regulate the terms of the grand juries in Blount and Cullman counties;

Also,

s. 352. To amend section 2844 of the Code;

Also, with amendment,

s. 319. To further regulate the business of building and loan associations;

By Mr. Walker from corporation, favorably,

s. 335. To confirm the incorporation of the Beauvoir Club of Montgomery, Alabama, and to enlarge the powees and capacities of said club;

Also,

s. 339. To amend section 7 of an act entitled an act to confirm the incorporation and organization of the McGill Institute in the city of Mobile and to define, declare and enlarge the powers of said corporation, approved December 9th, 1896.

Also, with amendment,

s. 334. To require fire insurance companies doing business in the county of Montgomery to pay annually, two hundred dollars each to a fund for the benefit of the fire companies of the city of Montgomery to provide a penalty for a failure or refusal to pay said fund, and to

REPORTS OF COMMITTEES.

Bills were reported from committees and read a second time as follows:

By Mr. McElderry from judiciary, favorably,

s. 308. To vacate a part of the plat of certain lands in Jefferson county, made by the Elyton Land Company, a corporation in Jefferson county;

Also,

H. 250. To allow the presiding judge of the circuit court in any of the counties in the first, third, fourth, fifth, sixth, seventh, ninth and thirteenth judicial circuits and in Cullman county in the eighth judicial circuit, to order the jury box in either of such counties, except in the counties of Dallas, Monroe, Etowah, DeKalb and Mobile to be refilled when in his opinion the box has become illegal or irregular and to provide for refilling the box;

By Mr. Kilpatrick from judiciary, favorably,

s. 345. To regulate the terms of the grand juries in Blount and Cullman counties;

Also,

s. 352. To amend section 2844 of the Code;

Also, with amendment,

s. 319. To further regulate the business of building and loan associations;

By Mr. Walker from corporation, favorably,

s. 335. To confirm the incorporation of the Beauvoir Club of Montgomery, Alabama, and to enlarge the powees and capacities of said club;

Also,

s. 339. To amend section 7 of an act entitled an act to confirm the incorporation and organization of the McGill Institute in the city of Mobile and to define, declare and enlarge the powers of said corporation, approved December 9th, 1896.

Also, with amendment,

s. 334. To require fire insurance companies doing business in the county of Montgomery to pay annually, two hundred dollars each to a fund for the benefit of the fire companies of the city of Montgomery to provide a penalty for a failure or refusal to pay said fund, and to

protection of lands and plantations from depredation by stock in Bullock county, Alabama, approved February 17th, 1885;

By Mr. Walker from corporation, favorably,—

H. 680. To confirm the incorporation of Huntsville and Monte Sano Improvement Company, and to confer upon it additional powers;

By Mr. Hogue from judiciary, favorably with substitute,—

S. 362. To amend an act to establish the Tuskaloosa county law and equity court, approved December 9th, 1896. By striking out section 7 and inserting in lieu thereof a provision abolishing the present county court of Tuskaloosa county; by amending sections 5, 6, 15, 25 and 27; by adding section 30, providing that under certain circumstances the solicitor of this court may procure assistance, and by adding section 31, requiring the solicitor of the court to attend preliminary investigations in certain cases;

By Moody from temperance, favorably,—

H. 386. To prohibit the sale, giving away or otherwise disposing of vinous, spirituous or malt liquors, intoxicating ciders, bitters or beverages within a radius of six miles of the Methodist church in Gordon, Henry county, Alabama;

Also,

H. 525. To prohibit the sale, giving away or disposing of spirituous, vinous or malt liquors or any intoxicating bitters or beverages within one mile of Old Mt. Zion Baptist Church, Barbour county;

Also,

H. 604. To prohibit the sale, giving away or otherwise disposing of spirituous, vinous or malt liquors or intoxicating bitters at or within two and one-half miles of the Thorp Spring Baptist Church, situated in Stout's beat, Franklin county.

UNFINISHED BUSINESS.

The senate proceeded to consider the unfinished business of yesterday, which was

The bill,

s. 104. To regulate management and work of convicts in the State of Alabama, providing for the more humane treatment of the convicts, the maintenance of the revenue derived from convict labor, and the more equitable distribution of the competition of convict with free labor.

On motion of Mr. Cunningham, the senate went into committe of the whole to consider the bill.

RECESS.

At 1 o'clock P. M. the committee rose, and the senate took a recess until 3:30 o'clock this afternoon.

AFTERNOON SESSION.

The senate reconvened at 3:30 o'clock P. M. and was called to order by the president.

A quorum was present.

On motion of Mr. Brewer, the unfinished business of the day was postponed until to-morrow morning, and the senate was to consider, this afternoon, bills on the calendar.

SPECIAL ORDER.

By leave, Mr. Hogue called up the bill that was a special order for yesterday at 12 o'clock M. which was

The bill.

s. 204. To regulate the pay for feeding prisoners in jail.

Mr. Smith moved to amend by excepting Mobile county from the provisions of the bill.

On motion of Mr. Hogue the amendment was laid on the table.

Mr. Kilpatrick moved to amend by excepting Wilcox county from the provisions of the bill.

On motion of Mr. Hogue, the amendment was laid on the table.

Mr. Bethune offered an amendment.

Mr. Cunningham offered as a substitute for Mr. Bethune's amendment, as follows:

All over 25 at 25c.

Mr. Hogue moved to lay the substitute and the amendment on the table.

Carried.

Yeas 15, nays 11.

Yeas:

Messrs. President, Bethune, Boykin, Brewer, Brown, Buchanan, Grant, Hawkins, Hogue, Hollis, Kilpatrick, Lee, Moody, Thomason, Walker—15.

Nays:

Messrs. Abercrombie, Brooks, Case, Cunningham, Deans of Shelby, Deens of Covington, Hundley, Matthews, Nolen, Robinson, Smith—11.

Mr. Hogue offered an amendment which was adopted.

The bill, as amended,

Was read a third time and passed—yeas 16, nays 9.

Yeas:

Messrs. Abercrombie, Bethune, Boykin, Brewer, Brown, Buchanan, Deens of Covington, Grant, Hawkins, Hogue, Hollis, Lee, Matthews, Nolen, Thomason, Walker—16

Nays:

Messrs. President, Case, Cunningham, Deans of Shelby, Hundley, Kilpatrick, Moody, Robinson, Smith—9.

MESSAGE FROM THE HOUSE.

Mr. President:

The speaker having signed the following house bills, your signature is requested to the same:

H. 288. To prevent stock from running at large in sections 4, 5. 6, 7, 18, 19 and the N. W. ¼ and W. ½ of N. E. ¼ and N. ½ of S. W. ¼ of section 8, and that part of section 3 west of the Big Tallapoosa river, all in township 19, of rage 10 in Randolph county;

H. 297. To fix the time for pleading in the circuit court of Bibb county;

H. 342. To create a separate school district to be known as Belmont school district, in Sumter county, and to define the boundaries thereof;

H. 505. To establish a separate school district to be known as Flat Rock district, in Randolph county;

H. 689. To authorize the preparation of and filling the jury boxes of the county of Randolph, to legalize the same when prepared and filled and to provide for drawing juries from said boxes.

MASSEY WILSON,
Clerk.

REPORT OF ENROLLED BILLS.

Mr. Matthews, from the committee on enrolled bills, reported the following bills correctly enrolled:

s. 123. To incorporate the South Alabama Institute of Thomasville, Clarke county, Alabama;

s. 112. To regulate the purchase of stationery and other articles of the officials of Lowndes and Barbour counties;

s. 156. To establish a charter for the town of Ashland, Clay county, Alabama;

s. 201. To establish a charter for the city of Jemison in Chilton county, Alabama;

s. 45. To repeal a certain act entitled "an act to incorporate the town of Alco, in the county of Escambia, and State of Alabama," approved February 13th, 1889, and to provide for the payment of the outstanding indebtedness of said town;

s. 127. To prohibit the sale, giving away or otherwise disposing of spirituous, vinous or malt liquors or intoxicating ciders, bitters or beverages, or fruits preserved in alcoholic liquors within precinct number eight (8), including the incorporations of the towns of Fitzpatrick and Thompson, in Bullock county, Alabama.

W. H. MATTHEWS,
Chairman.

SIGNING OF HOUSE AND SENATE BILLS.

The president of the senate, in the presence of the

senate, immediately after their titles had been publicly read by the secretary, signed the house bills, the titles of which are set out in the foregoing house message, and also, the senate bills the titles of which are set forth in the foregoing report on enrolled bills:

MESSAGE FROM THE HOUSE.

Mr. President:

The house has originated and passed the following bills:

H. 714. To incorporate the town of Jackson in Clarke county, Alabama;

H. 897. For the relief of the Seaboard Railway Company of Alabama;

H. 349. To establish the Blanch school district in Cherokee county;

H. 598. To prohibit the sale or giving away of alcoholic, spirituous, vinous or malt liquors within three miles of the Methodist church, Methodist Episcopal church and Baptist church within the town of Boaz, Marshall county;

H. 577. To prevent the obstruction of creeks and streams of running water in Wilcox county by throwing into the same any rocks, brush, logs and trees;

H. 694. To prohibit the manufacture, sale or giving away of alcoholic, spirituous, vinous or malt liquors in township 19, range 23 in Tallapoosa county;

H. 376. To authorize the secretary of State to sell copies of the code of 1886 now on hand in his office;

H. 746. To incorporate and exempt from taxation the property of the North Alabama Baptist Academy, located at the town of Courtland, in Lawrence county;

H. 534. To incorporate the town of Sulligent, in the county of Lamar, State of Alabama;

H. 427. To annul, abolish and discontinue the incorporation of the town of Blountsville, in Blount county, to provide for the payment of the outstanding indebtedness of said town and for the sale of its property;

H. 730. To provide for the election of a mayor and five aldermen for the town of Dothan and to fix the time

of said election;

H. 583. To regulate the payment of claims against the fine and forfeiture fund of Morgan county, Alabama;

H. 762. To amend an act entitled "an act to establish the thirteenth judicial circuit of the State of Alabama, to fix the time for holding courts therein, and to provide for the appointment of a judge and the election of a solicitor for said circuit, approved February 12, 1895;

H. 759. To repeal an act entitled an act, to regulate sheriffs and coroners sales in the county of St. Clair, approved Feb. 1, 1856;

H. 728. To change the name of Oliver Taylor Cummings, a minor, to Oliver Cummings Cooper;

H. 677. To amend section 2 of an act entitled "an act to create a new charter for the city of Florence, Alabama, approved February 28th, 1889;

H. 39. To incorporate the West Alabama Male and Female College;

H. 692. To authorize the commissioners court of Sumter county, in districts where stock are not allowed to run at large at any time of the year, to fix a day on which stock of all kinds may be allowed to run at large and also fix a day when they must be taken up;

H. 454. To amend an act for the preservation of game, animals and birds in Russell county, approved February 21st, 1893;

H. 465. To require the re-registration of existing claims against the fine and forfeiture fund of Lowndes county, Alabama, and to prescribe the time within which future claims against such fund shall be certified to and registered;

H. 850. To amend section one of an act entitled an act to establish three separate school districts in Cullman county to be known as the Jones Chapel school district, the County Line school district and the Good Hope school district, in Cullman county, Alabama, and to provide for the election of a board of trustees for each of said school districts, with certain duties and powers, approved Feb. 18th, 1891;

H. 298. To prevent stock from running at large in beat No. 16, Coosa county, Alabama;

H. 151. To amend section 2679 of the Code;

H. 189. To allow soldiers and sailors of the Confederate States of America, who have been residents of this State for five years next before the passage of this act, to peddle in produce and merchandise in each and every county of this State, except in incorporated villages, towns and cities, without payment of the stipulated licenes, and providing the manner of obtaining such license;

H. 766, To provide for the appointment of an official stenographer for the courts of record of Mobile county and to define his duties and regulate his compensation;

H. 740. To authorize the levy and collection of a tax upon property within the city of Birmingham, Alabama, for the maintenance of the public schools of said city;

H. 557. To establish a separate school district, in and for the city of Demopolis, and the police jurisdiction thereof, in Marengo county, Alabama, and to provide means to support said separate school district;

H. 396. To prohibit the sale, or giving away or otherwise disposing of vinous, spirituous or malt liquors or intoxicating bitters or beverages within beat number ten in Lee county;

H. 582. For the relief of James McClendon, an ex-commissioner of DeKalb county;

H. 727. To prevent stock from running at large in beat No. 10 of Hale county;

H. 792. For the relief of B. N. Lewis, E. G. Padgett and Jacob Neese, as the securities on the official bond of Wm. M. Snider, as superintendent of Covington county;

H. 494. For the relief of Burt Upchurch, late clerk of the circuit court of Pickens county, and his sureties on his official bond, to-wit: John Upchurch, James V. McCafferty and Henry B. Lasham;

H. 17. To repeal an act to regulate and provide for the trial of misdemeanors in Washington county, approved December 18, A. D. 1894, also to repeal an act to further provide for and regulate the trial of misdemeanors in Washington county, approved February 8, 1895, also, to repeal section 5 of an act in relation to trials of misdemeanors in Tuscaloosa and other counties therein named, so far as the same relates to Washington county,

approved March 1, 1881, and to provide for certain cases now pending in the county court of Washington county;

H. 851. To make the offices of town clerk and marshal of New Decatur, Alabama, elective, and to provide the time and manner of their election;

H. 660. Giving to children attending the Maud E. Austin College in Jackson county, their prorata share of all public school funds;

H. 375. To amend an act, to better prevent the commission of trespass upon lands in precincts Nos. four, five, six, seven, eight, nine and fifteen in Hale county, Alabama;

H. 518. To amend sections 2 and 20 of an act to establish a charter for the town of Brundridge, in Pike county, Alabama, approved Feb. 21, 1893;

H. 601. To amend section 1 of an act entitled an act to amend an act, to prohibit stock from running at large in beat No. four, five and six and the southern parts of beat No. one and three, and the western part of beat No. seven in Macon county, Alabama, approved February 18, 1885;

H. 903. To incorporate the Guarantee Trust and Surety Company,

And has originated and passed the following bills, and ordered the same sent forthwith to the senate without engrossment:

H. 771. To confer power on the Opelika board to appropriate money out of the revenues of the district of Opelika to the support of its public schools;

H. 345. To establish an inferior court for the county of Mobile, to define its jurisdiction and to regulate proceedings therein.

And has concurred in the senate amendment to,

H. 361. To regulate the appropriations and management of the several agricultural schools, and experiment stations in the State of Alabama;

H. 380. To regulate the fine and forfeiture fund of Elmore county.

And the house insists on its amendment to,

S. 171. To further regulate the financial affairs of Dallas county,

And accede to the request of the senate for a committee of conference committee on part of the house. Messrs. Pitts, Meadow, and Bouldin.

And has amended as therein shown, and as amended, has passed :

s. 261. To prevent the running at large of stock in certain portions of Talladega county.

MASSEY WILSON,
Clerk.

HOUSE MESSAGES.

The house bills in the foregoing house message were severally read once and referred to appropriate committees as follows :

H. 714, 534, 427, 730, 667, 518, to municipal and county organizations ;

H. 897, 762, 759, 728, 151, 851, 375, 771, 345, to judiciary ;

H. 349, 746, 39, 850, 660, to education ;

H. 598, 396, to temperance ;

H. 577, 694, 503, 692, 298, 766, 727, 817, 501, to local legislation ;

H. 376, to printing ;

H. 465, 189 740, 582, 792, 494, to finance and taxation.

H. 454, to commerce and common carriers ;

H. 557, 903, to corporations.

The senate concurred in the house amendment to the senate bill.

s. 261. To prevent the running at large of stock in certain portions of Talladega county,

Yeas 24, nays 0.

Yeas :

Messrs. President, Abercrombie, Bethune, Boykin, Brewer, Brooks, Brown, Buchanan, Case, Cunningham, Deens of Covington, Grant, Hawkins, Hogue, Hollis, Kilpatrick, Lee, Matthews, McElderry, Moody, Nolen, Robinson, Thomason, Walker—24.

The senate next considered

By leave Mr. Boykin called up

The bill,

H. 729. To authorize the board of mayor and aldermen of the town of Dothan, to issue and negotiate bonds of said town, to an amount not exceeding twenty thousand dollars, for the establishing and maintaining of a system of water works and fire department, and providing for the redemption of said bonds,

Was read a third time and passed—yeas 19, nays 2.

Yeas:

Messrs. President, Boykin, Brooks, Brown, Buchanan, Case, Cunningham, Deans of Shelby, Grant, Hawkins, Hogue, Hundley, Kilpatrick, Lee, Matthews, McElderry, Moody, Nolen, Smith—19.

Nays:

Messrs. Hollis and Robinson—2.

The bill,

H. 589. To incorporate the Colonial Investment Company,

Was read a third time and passed—yeas 20, nays 0.

Yeas:

Messrs. Brewer, Brooks, Brown, Buchanan, Case, Day, Deans of Shelby, Deens of Covington, Grant, Hall, Hawkins, Hogue, Hollis, Hundley, Kilpatrick, Matthews, Nolen, Robinson, Smith, Thomason—20.

The bill,

H. 123. To amend an act to authorize the commissioners' court of the counties of Cherokee and Etowah to levy a tax for working public roads and to let out said roads by contract,

Was read a third time and passed—yeas 23, nays 0.

Yeas:

Messrs. President, Abercrombie, Bethune, Brooks, Brown, Buchanan, Case, Cunningham, Deans of Shelby, Deens of Covington, Grant, Hawkins, Hogue, Hollis, Hundley, Kilpatrick, Lee, Matthews, Nolen, Robinson, Smith, Thomason—23.

The bill,

S. 238. To establish a new charter for the town of Seale, in Russell county,

Was read a third time and passed—yeas 20, nays 0.

Yeas:

Messrs. President, Abercrombie, Bethune, Boykin, Brooks, Brown, Buchanan, Case, Cunningham, Deens of Covington, Hawkins, Hogue, Hollis, Hundley, Kilpatrick, Matthews, Nolen, Smith, Thomason, Walker—20.

The bill,

s. 239. To amend sections 14, 15, 20, 24, of an act entitled an act to amend an act entitled an act to incorporate the city of Girard, in Russell county, approved December the 8th, 1890; and to amend section 16 of an act entitled an act to incorporate the city of Girard, in Russell county, approved December the 8th, 1890,

Was read a third time and passed—yeas 20, nays 0.

Yeas:

Messrs. President, Abercrombie, Bethune, Boykin, Brooks, Brown, Case, Deens of Covington, Grant, Hawkins, Hogue, Hollis, Hundley, Kilpatrick, Lee, Matthews, Nolen, Robinson, Smith, Thomason—20.

The bill,

s. 259. To incorporate the town of Holly Pond, in the county of Cullman, and State of Alabama,

Was read a third time and passed—yeas 19, nays 0.

Yeas:

Messrs. Abercrombie, Bethune, Brooks, Brown, Buchanan, Case, Cunningham, Deens of Covington, Grant, Hawkins, Hogue, Hundley, Kilpatrick, Matthews, McElderry, Robinson, Smith, Thomason, Walker—19.

The bill,

s. 395. To amend section 1 of an act entitled an act to amend an act entitled an act to incorporate the town of Moulton, in Lawrence county, Alabama, approved February 18th, 1895,

Was read a third time and passed—yeas 17, nays 0.

Yeas:

Messrs. President, Abercrombie, Bethune, Buchanan, Case, Deens of Covington, Hawkins, Hogue, Hollis, Hundley, Matthews, Moody, Nolen, Robinson, Smith, Thomason, Walker—17.

ADJOURNMENT.

At 5:58 o'clock P. M. on motion of Mr. Robinson the senate adjourned until to-morrow morning at 10 o'clock.

THIRTY-FIFTH DAY.

Saturday, January 30th, 1897.

The senate met pursuant to adjournment.
Prayer by the Rev. Dr. Eager of the city.
Present:
Messrs. President, Abercrombie, Bethune, Boykin, Brewer, Brooks, Brown, Buchanan, Case, Cunningham, Deans of Shelby, Deens of Covington, Grant, Hall, Hawkins, Hogue, Hollis, Hundley, Kilpatrick, Lee, Matthews, McElderry, Moody, Nclen, Pettus, Robinson, Smith, Thomason, Walker—29.

READING OF THE JOURNAL.

On motion of Mr. Boykin the reading of the journal of yesterday was dispensed with, and it was approved.

INTRODUCTION OF BILLS.

On a call of the districts, bills were introduced, read and referred to appropriate committees, as follows:

By Mr. Abercrombie—

s. 383. To fix the time of holding the circuit court of Cleburne county, and to dispense with a grand jury in said court unless such jury be ordered by the judge thereof,

Judiciary;

By Mr. Sayre—

s. 384. To incorporate the Montgomery Real Estate Investment and Security Company,

Corporations;

By Mr. Brown (by request)—

s. 385. To authorize the commissioners of Blount county to build a jail house at Bangor,

Judiciary;

Also, (by request)—

s. 386. To further regulate the trial of misdemeanors in the county of Blount,

Judiciary;

By Mr. Abercrombie—

s. 387. To incorporate the Peaceburgh Camp Ground, in Calhoun county, to authorize and empower the trustees, cabin owners and tent holders, to pass and enforce rules and regulations to maintain and preserve good order within one mile of said camp grounds, and to control its management,

Corporations;

By Mr. Sayre—

s. 388. To further regulate elections in the State of Alabama,

Privileges and elections;

By Mr Moody—

s. 389. To amend an act entitled an act to provide for the payment of claims against the fine and forfeiture fund of Tuscaloosa county, approved Feb. 1st, 1895,

Finance and taxation;

By Mr. Moody—

s. 390. To dispose of the fees and compensation of the clerk of the circuit court and sheriff of Tuskaloosa county; and to prescribe the mode of compensating said clerk and sheriff,

Finance and taxation.

RESOLUTION.

Mr. Deans, of Shelby, offered the preamble and resolution as follows:

Whereas, The leaders and the platforms of all political parties in this State have declared in favor of fair elections, and for the improvement and amendment of election laws wherever experience has proved them to be defective;

And, whereas, All good citizens, regardless of party,

demand purity in elections;

And, whereas, It leads to more ready acquiescence in the declared result, when it is made by election of officers who really and truly represent each party having candidates at an election;

And, whereas, When officers belonging to one political party, appoint election officials to represent other political parties who are unsatisfactory to them it always excites suspicion and distrust, and often treatens breaches of the peace, while elections are being held, and upon the declaration of the result, therefore,

Resolved, That it is the sense of the senate that the right of each political party, having candidates to be voted for at any State, congressional or county election. to be represented at each polling place by election of officers of their selection, ought to be secured by legislation, with proper penalties; and that the judiciary committee be directed to report for the consideration of the senate, as speedily as possible, a bill to compel officials who have authority to appoint persons to hold elections, to appoint one person to fill each place required by law to be filled in the holding of an election as the representative of each party, having candidates to be voted for at such election, and that such persons so selected for each party shall be one of three persons recommended by the county executive committee of each party, if such recommendation be made in writing, at least five days before the time of holding any election,

And he moved that the regular order of business be suspended, and the resolution be immediately considered,

Which motion was lost—yeas 8, nays 12.

Yeas:

Messrs. Brooks, Buchanan, Deans of Shelby, Deens of Covington, Hall, Hollis, Hundley, Robinson—8.

Nays:

Messrs. President, Abercrombie, Bethune, Boykin, Brown, Cunningham, Grant, Hogue, Kilpatrick, McElderry, Moody, Smith—12.

And the resolution was referred to the committee on rules.

Mr. McElderry offered a joint resolution as follows:

Be it resolved by the senate, the house concurring, That the governor be requested to return to the senate, senate bill No. 156.

Adopted.

Mr. Moody presented a memorial from Mrs. Peter Bryce and other ladies of Tuskaloosa, favoring the establishing the reformatory for boys,

Which was referred to penitentiary.

Mr. Hundley offered a joint resolution, which was referred to the committee on rules, as follows:

Whereas, there is now pending in the senate of the United States an arbitration treaty between the United States and Great Britain,

Be it resolved by the senate, the house concurring, That it is the sense of the general assembly of Alabama that an arbitration as a mode of settlement in international disputes is to be preferred in principle to a resort to arms. They accordingly approve the general policy underlying the treaty now awaiting action on the part of the senate and without expressing and without desiring to express any opinion upon the details of that treaty, they trust that if amendments be found necessary, those will be made, the treaty ratified and a step then taken toward what this general assembly deems a higher plane of civilization for English speaking people.

Resolved, That a copy of this resolution be forwarded to each of the State's senators in the city of Washington.

REPORTS OF COMMITTEES.

Bills were reported from committees and read a second time, as follows:

By Mr. Hogue, from local legislation, favorably—

s. 367. To compel the repairing of public roads in Geneva, Covington and Conecuh counties, by persons and corporations injuring the same, and to establish a penalty for their failure to do so;

Also,

H. 770. To amend section 2 of an act entitled an act, to establish a new charter for the town of Marion, in the

county of Perry, approved February 16th, 1870, as amended by act approved February 26th, 1875, and section 3 of said act to establish a new charter for said town, approved February 16, 1870, as amended by an act approved February 28th, 1887, and section 16 of said act to establish a new charter for the town of Marion, in the county of Perry, approved February 16th, 1870;

Also,

H. 817. To repeal an act to regulate and provide for the trial of misdemeanors in Washington county, approved December 18th, A. D. 1894; also to repeal an act to further provide for and regulate the trial of misdemeanors in Washington county, approved February 8, 1895. Also, to repeal section 5 of an act in relation to trials of misdemeanors in Tuskaloosa and other counties therein named so far as the same relates to Washington county, approved March 1st, 1881, and to provide for certain cases now pending in the county court of Washington county;

By Mr. Abercrombie, from education, favorably—

S. 382. To create a separate school district in Cleburne county to be known as "Oak Level school district;"

Also, with amendment,

H. 39. To incorporate the West Alabama Male and Female College;

Also, favorably,

H. 349. To establish the Blanch school district in Cherokee county;

By Mr. Boykin, from commerce and common carriers, favorably,

H. 454. To amend an act for the preservation of game, animals and birds in Russell county, approved February 21st, 1893;

By Mr. Kilpatrick from municipal and county organizations, favorably—

H. 714. To incorporate the town of Jackson, in Clarke county, Alabama:

By Mr. Grant, from printing, favorably,

H. 376. To authorize the secretary of State to sell copies of the Code of 1886, now on hand in his office;

By Mr. Brewer, from finance and taxation, favorably,

H. 319. For the relief of D. C. McInnis, of Mississippi;

By Mr. Walker, from public health, favorably,

H. 188. To give physicians a lien upon the personal property of any person for the payment of medicines furnished and services rendered to such person or his family, not to exceed the sum of ten dollars per year, and to provide for the enforcement of such lien. Provided that the provisions of this act shall not apply to the counties of DeKalb, Monroe, Cleburne, Jefferson, Talladega, Marshall, Cherokee, Montgomery, Chilton, Lee, Franklin, Coosa, Dallas, Colbert, Bullock, Lawrence, Clay, Lamar, Tuskaloosa, Cullman, St. Clair, Conecuh, Shelby, Clarke, Washington, Jackson, Marion, Mobile, Dale, Henry, Barbour, Baldwin, Walker, Lauderdale, Morgan, Escambia, Lowndes, Blount, Limestone and Geneva and Greene and Hale;

By Mr. Hogue, from local legislation, favorably,

H. 298. To prevent stock from running at large in beat No. 16 Coosa county, Alabama;

By Mr. Matthews, from corporations, favorably,

H. 557. To establish a separate school district in and for the city of Demopolis and police jurisdiction thereof in Marengo county, Alabama, and to provide means to support said separate school district;

By Mr. Moody, from temperance, favorably,

H. 396. To prohibit the sale or giving away or otherwise disposing of vinous, spirituous or malt liquors or intoxicating bitters or beverages, within beat number ten in Lee county;

Also,

H. 694. To prohibit the manufacture, sale or giving away of alcoholic, spirituous, vinous or malt liquors in township 19, range 23 in Tallapoosa county;

By Mr. Pettus, from judiciary, favorably,

H. 135. To authorize corporations, having the power under their charters, to become sureties on the official bonds of State, county and municipal officers, and of receivers, guardians, administrators, trustees, assignees and executors, and on all bonds or undertakings, required in any judicial proceeding, and on all bonds or undertakings required or permitted by the laws of this

State, to be executed with sureties; to regulate the giving of such bonds and prescribe the qualifications of such corporations; and to provide for the relief of such corporations from further liability thereon;

Also,

H. 347. To establish a criminal court for the county of Cherokee, with criminal jurisdiction in misdemeanor cases and to provide for appointment of a judge and solicitor for such court;

By Mr. Brewer, from finance and taxation, favorably, with amendment,

H. 535. To provide for the more officient assessment and collection of taxes in the State of Alabama;

Also, favorably,

H. 573. To provide for repairing and furnishing the capitol and capitol grounds.

MESSAGE FROM THE HOUSE.

Mr. President:

The speaker of the house having signed the following bills, your signature is requested thereto:

H. 380. To regulate the fine and forfeiture fund of Elmore county, and to better provide for the payment of claims registered against said fund, by appropriating from the general fund, to the fine and forfeiture fund, money to pay registered claims against said fine and forfeiture fund, and to provide for the payment of fines assessed or forfeitures rendered by a competent court in fine and forfeiture script of said county;

H. 395. To amend section 1 of an act entitled an act to amend an act entitled an act to incorporate the town of Moulton, in Lawrence county, Alabama, approved February 18th, 1895;

H. 123. To amend an act to authorize the commissioners' court of the counties of Cherokee and Etowah to levy a tax for working public roads and to let out said roads by contract;

H. 729. To authorize the board of Mayor and aldermen of the town of Dothan to issue and negotiate bonds of said town to an amount not exceeding twenty thou-

sand dollars, for the establishing and maintaining of a system of water works and fire department and providing for the redemption of said bonds;

H. J. R. To allow a clerk ten day's pay for services on the special committee which investigated the University of Alabama during recess;

H. 589. To incorporate the Colonial Investment Company.

H. 361. To regulate the appropriation and management of the several agricultural schools and experiment stations in the State of Alabama.

MASSEY WILSON, Clerk.

REPORTS FROM ENROLLED COMMITTEE.

Mr. Matthews, from the committee on enrolled bills reported the following joint resolution correctly enrolled.

S. J. R. Providing for pay of the clerk to the select joint committee on educational laws, during the recess.

SIGNING HOUSE AND SENATE BILLS.

The president of the senate, in the presence of the senate, immediately after their titles had been publicly read, by the secretary, signed the foregoing house bills the titles of which are set forth in the above house message, and, also, the senate joint resolution, the title of which is set forth in the foregoing report from enrolled committee.

MESSAGE FROM THE HOUSE.

Mr. President:

The house has originated and passed the following bills:

H. 550. To establish the Breman School District in Cullman county, Alabama;

H. 612. To establish, organize and maintain a system of public schools in Woodlawn, Jefferson county, Alabama, and to levy and collect tax for the support of said school;

H. 724. To provide for and regulate the sale of liquors and other intoxicaiing drinks in Geneva county, Alabama;

H. 761. To regulate the trial of misdemeanors in the county of Tallapoosa;

H. 382. To provide for the extension of stock laws in Clay county;

H. 469. To incorporate the West Anniston Hose Co. No. 4, located in the city of Anniston, Calhoun county, Alabama;

H. 845. To require fire insurance companies doing business in the county of Montgomery to pay annually, two hundred dollars each to a fund for the benefit of the fire companies of the city of Montgomery, to provide a penalty for a failure or refusal to pay said fund and to regulate the disposition of said fund;

H. 878. To establish a Branch Agricultural Experiment Station and an agricultural school for the colored race, to be located at Tuskegee, Macon county, Alabama, and to be run in connection with the Tuskegee Normal and Industrial Institute;

H. 785. To provide and establish a stock law for Calhoun county;

H. 244. To establish a charter for the city of Vincent in Shelby county, Alabama;

H. 647. To amend sections 2, 12, 15 and 17 of an act entitled an act to create a new charter for the town of Heflen, Cleburne county, Alabama, approved December 12th, 1894;

H. 153. To incorporate the town of Clanton, in the county of Chilton, State of Alabama and to repeal all formed charters for said town;

H. 403. For the relief of Ed J. Hall and J. J. Odam and to refund to them the sum of two hundred and forty dollars, a part of the amount paid by them for license to retail liquor, which license was afterwards revoked;

H. 563. To relieve Rufus M. Cross of disabilities of non-age;

H. 651. For the preservation of game, animals and birds in the county of Colbert;

H. 733. To amend the charter of the town of Scottsboro, in Jackson county;

H. 679. To authorize the court of county commissioners of Madison county to encourage the enlargement of the plant at the Dallas Manufacturing Company in Madison county.

MASSEY WILSON,
Clerk.

HOUSE MESSAGES.

The house bills in the foregoing house message were severally read once and referred to appropriate committees, as follows:

H. 550, 612, to education;
H. 724, to temperance;
H. 761, 563, to judiciary;
H. 382, 785, 651, to local legislation;
H. 469, 845, to corporations;
H. 878, to agriculture;
H. 244, 647, 153, 733, to municipal and county organizations;
H. 403, 679, to finance and taxation.

UNFINISHED BUSINESS.

The senate next proceeded to consider the unfinished business of yesterday, which was the bill

S. 104. To regulate management and work of convicts in the State of Alabama, providing for the more humane treatment of the convicts, the maintenance of the revenue derived from convict labor, and the more equitable distribution of the competition of convict with free labor.

On motion of Mr. Cunningham, the senate went into committee of the whole to consider the bill, and Mr. Hogue, the chairman of the committee took the chair.

The committee rose, and Mr. Hogue the chairman of the committee, reported the bill, with sundry amendments thereto, favorably to the senate.

The report was concurred in, and the amendments were severally adopted.

REPORT FROM COMMITTEE ON RULES.

Mr. Pettus, from the committee on rules, reported special rule No. 1, as follows:

The committee on rules reports that debate on the pending measure shall cease at 12 o'clock to-day and the bill shall then be read a third time and a vote had without further debate,

Which was adopted.

The senate resumed consideration of the bill s. 104.

Mr. McElderry offered an amendment as follows:

Strike out of section 34 of the bill the words; Provided that not exceeding 35 per cent. of the whole number of State convicts shall be assigned to the minning division.

Mr. Cunningham moved to lay the amendment on the table,

Which was lost.—yeas 13, nays 14.

Yeas:

Messrs. Brown, Buchanan, Case, Cunningham, Deans of Shelby, Deens of Covington, Grant, Hall, Hogue, Hollis, Pettus, Robinson, Thomason.—13.

Nays:

Messrs. President, Bethune, Boykin, Brewer, Brooks, Hawkins, Hundley, Kilpatrick, Matthews, McElderry, Moody, Nolen, Smith, Walker.—14.

Mr. Brown offered an amendment to section 34, as follows:

Strike out "35 per cent" and insert in lieu thereof "40 per cent." so that the previso shall read:

Provided, that not exceeding 40 per cent. of the whole number of State convicts shall be assigned to the mining division.

Mr. McElderry moved to lay the amendment offered by Mr. Brown on the table,

Lost—yeas 11, nays 16.

Yeas:

Messrs. President, Bethune, Boykin, Brewer, Hawkins, Kilpatrick, McElderry, Moody, Nolen, Smith, Walker.—11.

Nays:

Messrs. Abercrombie, Brooks, Brown, Buchanan, Case,

Cunningham, Deans of Shelby, Grant, Hall, Hogue, Hollis, Hundley, Matthews, Pettus, Robinson, Thomason—16.

Mr. Brewer moved to lay the bill and amendments on the table.

Lost.

Yeas, 5; nays, 17.

Yeas:

Messrs. President, Boykin, Brooks, Hawkins, Smith —5.

Nays:

Messrs. Abercrombie, Bethune, Brown, Buchanan, Case, Cunningham, Deans of Shelby, Deens of Covington, Grant, Hall, Hogue, Hollis, Kilpatrick, Moody, Pettus, Robinson, Thomason—17.

Mr. Brown's amendment was adopted.

The bill, as amended, was read a third time and passed—yeas 19, nays 6.

Yeas:

Messrs. Abercrombie, Brooks, Brown, Buchanan, Case, Cunningham, Deens of Covington, Grant, Hall, Hawkins, Hogue, Hollis, Kilpatrick, Matthews, Moody, Nolen, Pettus, Robinson, Thomason—19.

Nays:

Messrs. President, Bethune, Boykin, Brewer, McElderry, and Thomason—6

RESOLUTIONS.

By leave, Mr. Pettus offered a resolution, as follows:

Resolved, by the senate, That the secretary of the senate be instruted to forthwith ascertain and report to the senate why messages from the senate to the house of representatives are not received by the house of representatives.

Which was immediately considered and adopted.

Mr. Pettus, also, offered a resolution as follows:

Resolved, That for to-day and to-morrow only senate bills on the calendar shall be considered, and the president shall not recognize any senator for the purpose of asking unanimous consent to take up any house bill.

Which was referred to the committee on rules.

REPORT FROM COMMITTEE ON RULES.

The president of the senate, Mr. Brewer presiding, from the committee on rules, reported a substitute for the resolution offered by Mr. Brown, which substitute is as follows:

Resolved, That all pending bills, and all bills hereafter coming into the senate for the establishment of separate school districts shall be referred to the committee on education, whose duty it shall be to include all such bills in one bill. and report same as early as practicable.

The report of the committee was concurred in, the substitute was adopted, and the resolution was adopted.

The senate next proceeded to consider

BILLS ON THIRD READING.

The bill,

s. 143. To prevent putting logs, brush, and sawdust in rivers, creeks, branches, lakes, ponds, and lagoons, in this State, and for the punishment thereof,

Was taken up.

The amendment reported by the committee, confining the provisions of the bill to the counties of Coosa, Jackson and Marshall,

Was adopted.

The bill, as amended, was read a third time and passed —yeas 22; nays, 0.

Yeas:

Messrs. President, Abercrombie, Bethune, Brooks, Brown, Buchanan, Case, Cunningham, Deans of Shelby, Deens of Covington, Grant, Hall, Hawkins, Hogue, Hollis, Hundley, Kilpatrick, Matthews, Nolen, Pettus, Robinson, Thomason—22.

The bill,

s. 70. To require the judge of probate, of DeKalb county, to keep in his office a blank book, or blank tablet, of mortgages, and also one of deeds in which to record a description of property, and to keep duplicates of such for sale,

Was taken up.

The amendment reported by the committee, striking out section 4 of the bill was adopted.

Mr. Robinson moved to amend by adding St. Clair to the caption and body of the bill, after the word De-Kalb, and by changing "county" to "counties."

Adopted.

The bill, as amended, was read a third time and passed —yeas 24, nays 1.

Yeas:

Messrs. President, Abercrombie, Bethune, Boykin, Brewer, Brown, Buchanan, Case, Cunningham, Deans of Shelby, Deens of Covington, Grant, Hall, Hawkins, Hogue, Holls, Hundley, Kilpatrick, Matthews, Nolen, Pettus, Robinson, Smith, Thomason—24.

Mr. McElderry voted nay—1.

The bill,

H. 420. To authorize the mayor and aldermen of the city of Huntsville to issue bonds of said city for an amount not exceeding thirty thousand dollars for the exclusive purpose of building and repairing and constructing sewers,

Was taken up.

Mr. Hundley offered an amendment, as follows:

Amend section one of the bill by striking out the last sentence of said section, beginning with the word "said" and insert in lieu thereof the following, "Said bonds and coupons to be made payable in gold coin of the present standard of weight and fineness and at some bank or banking house in the city of New York, or Huntsville, Alabama, as the mayor and aldermen of the city of Huntsville may designate.

Which was adopted.

Mr. Hundley offered an amendment as follows:

Amend the bill by adding thereto the following section:

Section 5. Be it further enacted, That a statement of the receipt and disbursement of the funds as herein prescribed, shall be published by the mayor and aldermen of the city of Huntsville, with the annual financial reports as required by the charter of said city.

Which was adopted.

The bill, as amended, was read a third time and

passed—yeas 18, nays 1.

Yeas:

Messrs. President, Bethune, Brewer, Brooks, Case, Deans of Shelby, Deens of Covington, Grant, Hall, Hawkins, Hogue, Hundley, Kilpatrick, McElderry, Nolen, Smith, Thomason, Walker—18.

Nays:

Mr. Hollis—1.

The bill,

s. 351. To prohibit the sale, giving away or otherwise disposing of spirituous, vinous, or malt liquors, or intoxicating ciders, bitters or beverages, or fruits preserved in alcoholic liquors within the radius of three miles of Indian Creek Baptist church in Precinct No. 5 in Bullock county, Alabama,

Was read a third time and passed—yeas 20, nays 0.

Yeas:

Messrs. President, Bethune, Brewer, Brooks, Brown, Buchanan, Case, Deens of Covington, Grant, Hawkins, Hogue, Hollis, Kilpatrick, Matthews, Moody, Pettus, Robinson, Smith, Thomason, Walker—20.

The bill,

s. 320. To incorporate the Colored Baptist Brothers and Sisters' Benevolent Society,

Was read a third time and passed—yeas 20, nays 0.

Yeas:

Messrs. Abercrombie, Bethune, Brewer, Brooks, Brown, Buchanan, Case, Cunningham, Deans of Shelby, Grant, Hawkins, Hogue, Hollis, Hundley, Matthews, McElderry, Moody, Robinson, Thomason, Walker—20.

The bill,

s. 336. To include certain territory in the corporate limits of the city of Montgomery,

Was read a third time and passed.—yeas 18, nays 0.

Yeas:

Messrs. Abercrombie, Boykin, Brewer, Brooks, Brown, Buchanan, Case, Cunningham, Grant, Hawkins, Hogue, Hollis, Matthews, Moody, Nolen, Robinson, Thomason, Walker—18.

The bill,

s. 250. To repeal an act entitled an act to prohibit the sale, giving away, or otherwise disposing of spirit-

uous, vinous or malt liquors at, or within, certain localities in this State, approved February 28, 1881. So far as the same relates to the corporate limits of the city of Fruithurst, in Cleburne county, on the Southern Railway,

Was read a third time and passed—yeas 20, nays 0.

Yeas:

Messrs. Abercrombie, Bethune, Boykin, Brewer, Brooks, Brown, Case, Cunningham, Deens of Covington, Grant, Hawkins, Hogue, Hollis, Kilpatrick, Matthews, Nolen, Robinson, Smith, Thomason, Walker—20.

The bill,

s. 321. To provide for the payment of clerks of the circuit courts in certain counties, of the State of Alabama, for keeping the minutes of the circuit courts in said State;

Was taken up on motion of Mr. Robinson.

The amendment reported by the committee, excepting the counties of Perry and Bibb from the provisions of the bill, was amended by adding the counties of Blount, Cullman, Winston, Butler, Conecuh, Covington, Lowndes, Geneva and Marion.

Pending the consideration of the amendment the hour of 1 o'clock P. M. arrived.

RECESS.

At 1 P. M. the senate took a recess until this afternoon at 3:30 o'clock.

AFTERNOON SESSION.

The senate reassembled at 3:30 o'clock P. M. and was called to order by the president.

A quorum was present.

RESOLUTIONS.

Mr. Boykin offered the following resolution which was

referred to the committee on rules:

Resolved, That senate bill No. 237 to enlarge the powers of the railroad commission be made a special and continuing order for next Monday at 11 A. M.

Mr. Brewer offered the following resolution which was referred to the committee on rules:

Resolved, That house bill No. 535 be made the special order for Monday morning immediately after the reading of the journal.

Mr. Cunningham offered the following resolution:

Resolved, That house bill 393 relating to the payment of wages in the counties of Jefferson, Walker, Bibb, Blount, etc., be made a special order for Thursday morning, immediately after report of committees.

Mr. Abercrombie offered the following resolutions:

Resolved, That senate bill No. 7, to regulate the holding of primary elections be made a special continuing order for Monday, at 3:30 o'clock P. M.

Also,

Resoled, That senate bill No. 284, to regulate the public school system of the State of Alabama, be made a special continuing order for Tuesday next at 3:30 o'clock P. M.

By Mr. Grant—

Resolved, That in order to save time the committee on temperance, is hereby requested to embody in one bill as far as practicable, the various prohibition bills now on the calendar or in the hands of the chairman of said committee.

All of which were referred to the committee on rules.

MESSAGE FROM THE HOUSE.

Mr. President:

The house has nonconcurred in the senate amendment

H. 420. To authorize the mayor and aldermen of the city of Huntsville to issue bonds of said city for an amount not exceeding thirty thousand dollars for the exclusive purpose of building and repairing and constructing sewers,

And asks for a committee of conference.

Committee on part of the house, Messrs. Hampton, Bouldin and Davis.

And has originated and passed

H. 748. To amend an act to amend an act entitled an act to amend sections two, five, six and nine of an act entitled an act to incorporate the town of Tuskegee, in the county of Macon and for other purposes, approved February 11, 1893.

And has ordered the same sent to the senate without engrossment,

And has originated and passed

H. 928. To authorize Colbert county to build macademized or turnpike roads, and to issue bonds of the county to aid in the construction thereof, and has passed

S. 87. To ratify and confirm the organization of the Mobile & Birmingham Railroad Company and to declare the rights, powers, franchise and privileges of said Mobile & Birmingham Railroad Company.

And has amended as therein shown, and as amended, has passed

S. 340. To incorporate the Montgomery Trust Company,

And has passed

S. 129. For the relief of Jesse Stone, J. T. Miller, James B. Marsh, Reuben C. Davis, C. C. Davis, W. E. Quinn, E. S. Killion, B. H. Nicholson and D. C. Case from the payment of the official bond of S. D. Monroe, ex-county treasurer of DeKalb county, Alabama;

And has concurred in the senate joint resolution requesting the governor to return to the senate, senate bill No. 156.

MASSEY WILSON,
Clerk.

HOUSE MESSAGES.

The house bills in the foregoing house message were severally read once and referred to appropriate committees, as follows:

Corporations, H. 748;

Local legislation, H. 928;

And the senate insisted on its amendment to H. 420, and acceded to the request of the house for a committee of conference.

Committee on part of the senate:

Messrs. Pettus, McElderry and Deens of Covington.

The senate concurred in the house amendment to the senate bill

s. 340. To incorporate the Montgomery Trust Company.

Yeas 23, nays 0.

Yeas:

Messrs. President, Abercrombie, Boykin, Brewer, Brooks, Brown, Case, Cunningham, Deans of Shelby, Deens of Covington, Grant, Hall, Hawkins, Hogue, Hollis, Matthews, McElderry, Moody, Nolen, Pettus, Robinson, Smith, Thomason—23.

MESSAGE FROM THE GOVERNOR.

STATE OF ALABAMA,
EXECUTIVE DEPARTMENT,
MONTGOMERY, ALA., January 30th, 1897.

Mr. President:

The governor has approved the senate joint resolution providing for the pay of the clerk to the select joint committee on educational laws during recess, and has approved the following bills which originated in the senate:

s. 235; 127; 201; 112; 45; and 123.

Very respectfully,

JAMES B. SIMPSON,
Recording Secretary.

REPORT FROM THE COMMITTEE ON RULES.

Mr. Pettus, from the committee on rules, reported favorably the resolution restricting the consideration, by the senate, of senate bills only, for to-day and to-morrow, which was

Adopted.

Mr. Sayre (Mr. Cunningham presiding), from the committee on rules, reported favorably Mr. Grant's resolution relative to the embodying into one general bill all temperance bills on the calendar, and in the hands of the chairman on temperance, by the committee on temperance.

Also, favorably,

Mr. Hundley's resolution relative to the "arbitration treaty between the United States and Great Britain," now pending in the senate of the United States,

Which were adopted.

MESSAGE FROM THE GOVERNOR.

STATE OF ALABAMA, EXECUTIVE DEPARTMENT,
OFFICE OF THE GOVERNOR,
MONTGOMERY, ALA.

To the Senate:

I herewith return to you senate bill 156, in accordance with the joint resolution asking its return.

JOS. F. JOHNSTON,
Governor.

RESOLUTION.

By leave, Mr. McElderry offered a joint resolution, as follows:

Resolved by the senate, the house concurring, that the president of the senate and the speaker of the house of representatives be requested and are hereby authorized to erase their signatures from the senate bill, s. 156,

Which was immediately considered and adopted.

UNFINISHED BUSINESS.

The bill,

s. 321. To provide for the payment of clerks of the circuit courts in certain counties, of the State of Ala-

bama, for keeping the minutes of the circuit courts in said State,

Was taken up as unfinished business.

The pending amendment exempting the counties of Blount, Cullman, Perry, Bibb, Winston, Butler, Conecuh, Covington, Lowndes, Geneva and Marion, was adopted and the bill as amended was read a third time and passed—yeas 21, nays 0.

Yeas:

Messrs. President, Abercrombie, Brewer, Brooks, Brown, Cunningham, Deans of Shelby, Deens of Covington, Grant, Hall, Hawkins, Hogue, Hollis, Matthews, Moody, Nolen, Pettus, Robinson, Smith, Sowell, Thomason—21.

The senate next proceeded to consider

BILLS ON THIRD READING.

The bill,

s. 304. To amend section 2 of an act to declare and fix the beginning and duration of the terms of the several executive and judiciary officers in the State, approved February 21st, 1893,

Was read a third time and passed—yeas 19, nays 0.

Yeas:

Messrs. President, Abercrombie, Boykin, Brewer, Brooks, Brown, Cunningham, Deans of Shelby; Deens of Covington, Grant, Hawkins, Hollis, McElderry, Moody, Nolen, Pettus. Robinson, Smith, Thomason—19.

The bill,

s. 312. To prevent the use of wheels of fortune, chance games, and rafflings or devices of the kind,

Was read a third time and passed—yeas 21, nays 0.

Yeas:

Messrs. President, Abercrombie, Boykin, Brewer, Brooks, Brown, Cunningham, Deans of Shelby, Grant, Hall, Hawkins, Hogue, Hollis, Matthews, McElderry, Moody, Nolen, Pettus, Robinson, Smith, Thomason—21.

The bill,

s. 310. To prohibit the running at large of any bull of the cow kind in the county of Russell, and to provide for the punishment of the same,

Was read a third time and passed—yeas 19, nays 0.

Yeas:

Messrs. President, Abercrombie, Boykin, Brewer, Brooks, Cunningham, Deans of Shelby, Deens of Covington, Grant, Hawkins, Hogue, Matthews, McElderry, Moody, Nolen, Pettus, Robinson, Smith, Thomason—19.

The bill,

s. 289. To provide for the working of the public roads within incorporated cities and towns in the county of Talladega, where no municipal organization is maintained,

Was read a third time and passed—yeas 21, nays 0.

Yeas:

Messrs. President, Abercrombie, Boykin. Brewer, Brooks, Brown, Cunningham, Deans of Shelby, Deens of Covington, Grant, Hawkins, Hogue, Hollis, Matthews, McElderry, Moody, Nolen, Pettus, Robinson, Smith, Thomason—21.

The bill,

s. 297. To preserve order at the Pensacola District Camp Ground, in Escambia county, Alabama,

Was read a third time and passed—Yeas 20, nays 0.

Yeas:

Messrs. President, Abercrombie, Boykin, Brewer, Brooks, Brown, Cunningham, Deans of Shelby, Deens of Covington, Grant, Hawkins, Hogue, Hollis, Matthews, McElderry, Moody, Nolen, Pettus, Smith, Thomason—20.

MESSAGE FROM THE HOUSE.

Mr. President:

The house has concurred in the senate joint resolution authorizing the president of the senate and speaker of the house to erase their signature to s. 146,

And has originated and passed

H. 898. To give priority to the oldest claims against

the fine and forfeiture fund in the county of Monroe,

And has ordered the same sent to the senate forthwith without engrossment.

MASSEY WILSON,
Clerk.

HOUSE MESSAGES.

The house bill in the foregoing house message was read once and referred to appropriate committees as follows:

H. 898, to judiciary.

ERASURE OF SIGNATURE.

The president of the senate, in accordance with the joint resolution, erased his signature from the senate bill, s. 156.

REPORT FROM COMMITTEE ON RULES.

Mr. Pettus, from the committee on rules, reported favorably the following resolutions:

Resolved, that house bill No. 535 be made the special order for Monday morning immediately after the reading of the journal.

Resolved, that senate bill No. 237, to enlarge the powers of the Railroad Commission, be made a special and continuing order for next Monday at 11 o'clock A. M.

Which were severally adopted.

RECOMMITMENT OF BILL.

The bill,

s. 219. To regulate the summoning and attendance of witnesses in civil causes, and prescribe the duties of parties to suits and clerks of courts in reference thereto,

Was recommitted to the judiciary committee.

The senate resumed the consideration of

The bill,

s. 247. To prevent the jumping on or off trains while in motion, and to provide for the punishment thereof.

The amendment offered by the committee was adopted and the bill as amended,

Was read a third time and passed—yeas 21, nays 1.

Yeas:

Messrs. President, Abercrombie, Boykin, Brewer, Brooks, Brown, Case, Cunningham, Deans of Shelby, Deens of Covington, Grant, Hall, Hawkins, Hogue, Matthews, McElderry, Moody, Nolen, Pettus, Smith, Thomason—21.

Nays:

Mr. Robinson.

The bill,

s. 248. To prevent persons not employees or connected with any railroad, from detaching or uncoupling any train, or putting on brakes, or otherwise interfering with same while standing in any depot, crossing or stop, and to provide for the punishment thereof,

Was read a third time and passed—yeas 21, nays 0.

Yeas:

Messrs. President, Abercrombie, Boykin, Brewer, Brooks, Brown, Case, Cunningham, Deans of Shelby, Deens of Covington, Grant, Hall, Hawkins, Hogue, Matthews, McElderry, Moody, Nolen, Robinson, Smith, Thomason—21.

The bill,

s. 256. To require circuit solicitors to attend all circuit courts and supersede county solicitors therein;

The amendment reported by the committee was adopted and the bill as amended

Was read a third time and passed—yeas 21, nays 0.

Yeas:

Messrs. President, Abercrombie, Boykin, Brooks, Brown, Case, Cunningham, Deans of Shelby, Deens of Covington, Grant, Hall, Hawkins, Hogue, Hollis, Matthews, McElderry, Moody, Nolen, Pettus, Smith, Thom-

ason—21.

The bill,

s. 287. To amend an act entitled "an act to provide for the county court of Blount county, to be held at the court house at Bangor, for the trial of all causes cognizable in said court, arising in the western division of said county, approved February 21, 1893,

Was read a third time and passed—yeas 17, nays 0.

Yeas:

Messrs. President, Abercrombie, Boykin, Brewer, Brooks, Brown, Case, Cunningham, Deens of Covington Grant, Hawkins. Hogue, McElderry, Nolen, Robinson, Smith, Thomason—17.

The bill,

s. 296. To fix the rate of the charges for recording and trauscribing in the State and county offices in this State.

Mr Pettus offered an amendment exempting the following counties from the provisions of the bill: Calhoun, Cleburne, Dallas, Montgomery, Mcbile, Talladega, Coosa, Tallapoosa, Butler, Covington, Conecuh, Washington, Clarke, Choctaw, Shelby, Chilton, Elmore, Wilcox, Russell, Lee, Tuskaloosa, Barbour, Hale and Sumter, which was

Adopted.

Mr. Cunningham offered the following amendment:

Provided further, That all parties living in counties exempted from the provisions of this act shall pay the fees of said counties for all recording in counties where the law is effective,

And pending the consideration of the amendment.

ADJOURNMENT.

The senate at six o'clock P. M. adjourned to meet at 10 o'clock Monday morning.

THIRTY-SIXTH DAY.

Monday, February 1st, 1897.

The senate met pursuant to adjournment.

Prayer by Rev. Mr. Robinson of the senate.

Present:

Messrs. President, Abercrombie, Bethune, Boykin, Brewer, Brooks, Brown, Buchanan, Case, Cunningham, Day, Deans of Shelby, Deens of Covington, Grant, Hall, Hawkins, Hogue, Hollis, Hundley, Kilpatrick, Lee, Matthews, McElderry, Moody, Nolen, Pettus, Robinson, Smith, Sowell, Thomason, Walker—31.

READING OF THE JOURNAL.

On motion of Mr. Hogue the reading of the journal was dispensed with, and it was approved.

LEAVES OF ABSENCE.

Leave of absence was granted Mr. Day for to-day.

INTRODUCTION OF BILLS.

On a call of the districts, bills were introduced, read and referred to appropriate cemmittees, as follows:

By Mr. Robinson—

s. 391. To repeal an act entitled an act to regulate the trial of misdemeanors in St. Clair county, Alabama, approved 18th Feb., 1891,

Judiciary;

By Mr. Thomason (by request)—

s. 392. To repeal an act entitled an act to incorporate the town of Rock mills, Randolph county, Alabama, approved December, 1896,

Municipal and county organizations;

Also,

s. 393. To allow bonded constables of Randolph county the same fees as the sheriff in certain cases,

Judiciary;

By Mr. Hollis—

s. 394. To regulate the trials in civil causes in courts of justice of the peace and notaries public, who are ex-officio justices of the peace in Fayette county,

Judiciary;

By Mr. Moody—

s. 395. To authorize the court of county commissioners of Tuskaloosa county to issue and sell bonds of said county to an amount not exceeding fifteen thousand dollars, for the purpose of paying the interest and princiaal of the indebtedness incurred in building the present bridge across the Warrior river at Tuskaloosa, Alabama,

Judiciary;

RESOLUTION.

By leave, Mr. Pettus offered a resolution as follows:

Resolved, That the clerks of all committees, when not actually engaged with such committees, shall assist the secretary of the senate, and shall at such times be under his direction and control,

Which was referred to the commtttee on rules.

REPORT ON ENROLLED BILLS.

Mr. Matthews, from the committee on enrolled bills, reported as correctly enrolled the following bills:

s. 340. To incorporate the Montgomery Trust Company;

s. 129. For the release of Jesse Stone, J. S. Miller, James B. Marsh, Reuben C. Davis, C. C. Davis, W. E. Queen, E. S. Killion, B. H. Nicholson and D. C. Case from the payment of the official bond of S. D. Monroe, ex-county treasurer of DeKalb county, Alabama:

SIGNING OF SENATE BILLS.

The president of the senate, in the presence of the senate, immediately after their titles had been publicly read by the secretary, signed the senate bills, the titles

of which are set out in the foregoing report on enrolled bills.

REPORTS OF COMMITTEES.

Bills were reported from committees and read a second time, as follows:

Mr. Hogue, from local legislation, favorably, with amendment,

H. 826. To provide a charter for the city of Mobile;

Also, favorably,

H. 785. To provide and establish a stock law for Calhoun county;

Also,

H. 651. For the preservation of game, animals and birds in the county of Colbert;

Also,

H. 382. To provide for the extension of stock law in Clay county;

Also,

H. 577. To prevent the obstruction of creeks and streams of running water in Wilcox county by throwing into the same any rocks, brush, logs and trees;

Also,

H. 692. To authorize the commissioner's court of Sumter county in districts where stock are not allowed to run at large at any time of the year, to fix a day on which stock of all kinds may be allowed to run at large, and also fix a day when they must be taken up;

Also,

H. 727. To prevent stock from running at large in beat No. 10 of Hale county;

Also,

H. 501. To amend section 1 of an act entitled an act to amend an act to prohibit stock from running at large in beats number four, five and six, and the southern parts of beats number one and three, and the western part of beat number seven in Macon county, Alabama, approved February 18, 1885;

Also,

H. 168. To prohibit any person without legal cause or good excuse from entering upon the inclosed premises

of another in Jefferson county, Alabama;

Also,

H. 474. To amend an act to prevent hunting on land without written consent of owner or his agent, in Dallas, Madison, Autauga, Macon, Sumter, Talladega, Bullock, and Oak Grove, Perryville, and Radfordville beats, of Perry county, and beats number two and nine in Hale county, approved February 18, 1891;

By Mr. Pettus, from judiciary, favorably,

s. 309. To authorize Hugh Stewart, his heirs and assigns, to establish, maintain and operate a public ferry on the Alabama river, within the police jurisdiction of the city of Montgomery;

Also,

s. 383. To fix the time of holding the circuit court of Cleburne county, and to dispense with a grand jury in said court, unless such jury be ordered by the judge thereof.

MESSAGE FROM THE HOUSE.

Mr. President:

In accordance with a joint resolution heretofore adopted, the speaker of the house has erased his signature to s. 156, and the house has amended as therein shown, and as amended has passed.

s. 156. To establish a charter for the town of Ashland, Clay county, Alabama.

And has passed the following senate bills:

s. 255. To authorize the court of county commissioners of Madison county to aid in keeping up the Huntsville Infirmary;

s. 184. To unite all of fractional township 13, range 5, with all of township 13, range 4, between Oak Tuppa creek, in Choctaw county, into one township school district.

And has originated and passed the following bill and ordered the same sent forthwith to the senate without engrossment:

H. 753. To amend section nine of an act entitled an act for the relief of needy Confederate soldiers and sail-

ors, residents of Alabama, who from wounds or other causes are now unable to earn a livelihood, and for widows of such as were killed or died in said war, and have not since remarried, approved February 13, 1891.

And I am directed by the house to inform the senate, in reply to its resolutions relative to why senate messages were not received by the house on Saturday, to say that when the secretary of the senate came to the house with the message, that the house was in committee of the whole house, considering the railroad commission bill; that the gentleman from Lee, Mr. Barnes, was, at the time addressing some remarks to the committee; that the speaker of the house informed the secretary of the senate that as soon as the gentleman from Lee finished his speech, he would take the chair and receive the message; that when the speech was concluded the secretary of the senate had retired. No discourtesy or disrespect was intended.

MASSEY WILSON,
Clerk.

HOUSE MESSAGES.

The senate concurred in the house amendment to the senate bill,

s. 156. To establish a charter for the town of Ashland, Clay county, Alabama.

Yeas 21, nays 0.

Yeas:

Messrs. President, Abercrombie, Boykin, Brewer, Browder, Brown, Buchanan, Case, Deens of Covington, Grant, Hall, Hawkins, Hogue, Kilpatrick, Lee, Matthews, McElderry, Moody, Nolen, Pettus, Smith—21.

The house bill No. 753, the title of which is set out in the foregoing house message, was read the first time and referred to the committee on finance and taxation.

NOTICE OF MOTION TO RECONSIDER.

Mr. Pettus gave notice of a motion to reconsider the vote on the passage, on yesterday, of

The bill,

s. 256. To require circuit solicitors to attend all circuit courts and supesede county solicitors therein;

SPECIAL ORDER.

The special order, immediately after reading the journal this morninsg being the bill,

H. 535. To provide for the more efficient assessment and collection of taxes in the State of Alabama,

Was taken up.

The first amendment reported by the committee as follows:

Amend section seven (7) by striking out the words, "ten dollars to be taxed as costs in each case and,"

Was adopted.

The second amendment reported by the committee, as follows:

Amend section twelve (12) by adding after the last word thereof, the following words, viz: [But this penalty shall not apply to persons or property which have escaped assessment prior to the passage of this act.] Provided, That, in every case of assessment under this section, the tax, payer, owner, or reputed owner of the property shall have notice of such assessment, before the same is entered, of record, by personal notice or notice left at his dwelling if he be a resident or sojourner, in the county, or notice by mail if he be a non-resident or absentee, and such notice shall state the amount or describe the property which it is proposed to be assessed to him,

Was considered.

Mr. Brewer, offered an amendment to the amendment, as follows:

To strike out the words out of the amendment, as follows: "But this penalty shall not apply to persons or property which have escaped assessment prior to the passage of this act," and insert the following:

But this penalty shall not apply to persons or property which have escaped assessment prior to 1st day of February, 1896, so as to be added to such assessment, but the commissioner shall receive his commissions out

of the taxes assessed,

Which was adopted, and the amendment, as amended was adopted.

Mr. Brewer offered a further amendment, as follows:

Amend section nine (9) by striking out the words "and for each parcel of land which has been insufficiently described or misdescribed, and of which the assessor shall furnish the assessor with a proper description, the commissioner shall be paid a fee of one dollar, to be assessed and collected as a penalty against the tax payer for improperly describing the land,

Which was adopted.

The bill, as amended, was read a third time and passed—yeas 19, nays 10.

Yeas:

Messrs. President, Boykin, Brewer, Brown, Buchanan, Case, Cunningham, Grant, Hall, Hawkins, Hogue, Hollis, Lee, Matthews, McElderry, Pettus, Smith, Thomason, Walker—19.

Nays:

Messrs. Abercrombie, Brooks, Browder, Deans of Shelby, Deens of Covington, Hundley, Kilpatrick, Moody, Nolen, Robinson—10.

REPORT FROM COMMITTEE ON RULES.

Mr. Pettus from the committee on rules reported favorably, resolutions as follows:

Resolved That the clerks of all committees, when not actually engaged with such committees, shall assist the secretary of the senate, and shall at such times be under his direction and control.

Also, favorably,

Resolved, That s. 284, to regulate the public school system of the State of Alabama, be made a special continuing order for Tuesday next at 3:30 o'clock, P. M.

Also, favorably,

Resolved, That house bill 393, relating to the payment of wages in the counties of Jefferson, Walker, Bibb, Blount, etc., be made a special order for Thursday morning, immediately after report of committees,

Also, favorably,

Resolved, That senate bill No. 7, To regulate the holding of primary elections be made a special continued order for Monday, at 3:30 o'clock P. M.,

Which were severally adopted.

MOTION TO RE-CONSIDER VOTE.

The motion by Mr. Pettus, to re-consider the vote by which the senate, on yesterday, passed the bill.

s. 256. To require circuit solicitors to attend all circuit courts and supersede county solicitors therein,

Was next considered.

Mr. Brown moved to lay the motion to re-consider on the table,

Lost, yeas 13, nays 17.

Yeas:

Messrs. Brewer, Brooks, Brown, Buchanan, Deens of Covington, Grant, Hall, Hogue, Hollis, Lee, McElderry, Robinson, Thomason—13.

Nays:

Messrs. President, Abercrombie, Bethune, Boykin, Browder, Case, Cunningham, Deans of Shelby, Hawkins, Hundley, Kilpatrick, Matthews, Moody, Nolen, Pettus, Smith, Thomason—17.

The motion to reconsider prevailed.

On motion of Mr. Pettus, the vote by which the bill was ordered to a third reading was re-considered.

Mr. Pettus offered an amendment to exempt the counties of Madison, Calhoun, Cleburne, Lawrence and Tuskaloosa from the provision of the bill.

On motion of Mr. Pettus, the bill and amendments were laid on the table.

RECESS.

The hour of 1 o'clock P. M. arrived, and the senate took a recess until 3:30 o'clock this afternoon.

AFTERNOON SESSION.

The senate re-assembled at 3:30 o'clock P. M., and was called to order by the president.

A quorum was present.

SPECIAL ORDER.

By leave, Mr. Browder called up the bill,

H. 269. To create township nineteen, range five, Hale county, Alabama, a separate school district, to incorporate the same and define its powers and duties and to provide for the maintenance and management of the public schools of said district,

Which was a special order for 12 o'clock to-day.

The bill was read the third time and passed—yeas 26, nays 0.

Yeas:

Messrs. President, Abercrombie, Bethune, Boykin, Brewer, Brooks, Browder, Brown, Buchanan, Case, Deans of Shelby, Deens of Covington, Grant, Hawkins, Hogue, Hollis, Hundley, Lee, Matthews, McElderry, Nolen, Pettus, Robinson, Smith, Thomason, Walker—26.

MESSAGE FROM THE HOUSE.

Mr. President:

The house has originated and passed the following bills:

H. 682. To provide for the collection of the State and county taxes of the county of Marshal;

H. 228. To regulate, fix and prescribe the ex-officio compensation of the Sheriff of Elmore county;

H. 755. To authorize the trustee of Township 16, Range 17, in Montgomery county, to sell the house and lot on Holt street, in the city of Montgomery, now belonging to the township, and to re-invest the proceeds in other school property outside of the city of Montgomery for the use and benefit of the children of said township;

H. 353. To amend section one of an act entitled "An Act for the preservation of game in Conecuh county,"

approved December 11th, 1894;

H. 665. To authorize J. W. White to establish a ferry across the Tennessee river;

H. 711. To establish separate school district in Barbour county, Alabama, to be known as the Louisville and Mt. Zion School District;

H. 401. To amend sections 3 and 4 of an act entitled an act to prevent stock from running at large in the several beats of Randolph and Calhoun counties and authorize elections thereon;

H. 610. To establish a separate school district in Franklin county, Alabama, to be known as the Belgreen School District, and to fix the boundaries of same;

H. 627. To prohibit the sale or bartering of any spiritous, vinous or malt liquors or intoxicating bitters or beverages within the corporate limits of the town of Clayton in the county of Barbour;

H. 461. To amend sections one and two of an act entitled an act to amend sectons one, two and eleven of an act entitled an act to regulate the practice of pharmacy and the sale of poison in towns and cities of more than One Thousand inhabitants in the State of Alabama, approved February 25th, 1889; and to amend sections four, six, eight and nine of, and to add section sixteen to, an act entitled an act to regulate the practice of pharmacy, and the sale of poisons in cities and towns of more than One Thousand inhabitants in the State of Alabama, approved February 28th, 1887;

H. 921. To amend section 1 of an act to establish a new charter for the City of Montgomery; approved Dec. 9th, 1896;

H. 805. To amend an act to incorporate the Alabama Mutual Life Insurance Company, and to define its rights, powers and franchises, approved January 23rd, 1895;

H. 871. To amend an act to declare certain lands in Greene county, in this State, now belonging to T. W. Cobb, Mary Cobb, Mary E. Walker and Amenia J. Upchurch, a district in which stock shall be prevented from running at large, and to provide that the provisions of an act entitled an act to authorize the commissioners court of Greene county to establish district in which

stock may be prevented from running at large, approved February 17, 1885, shall be applicable to said district approved February 18, 1891;

H. 601. To establish a system for working roads in Crenshaw county and to authorize the commissioners court of Crenshaw county to levy and collect a tax for working the public roads of said county, and to let out said roads by contract;

And has non-concurred in the senate amendment to house bill,

H. 535. To provide for more efficient assessment and collection of taxes in the State of Alabama;

And requests a committee of conference thereon;

Committee on part of the house,

Messrs. Mitchell, Meadows and Killebrew.

And has originated and passed the following bill and ordered the same sent forthwith to the senate without engrosement;

H. 735. For the relief of A. A. Coleman;

H. 490. To appropriate money to reimburse certain insurance companies for amounts illegally paid, by them into the State treasury, under an act approved February 18th, 1893, entitled "An act to require all corporations to pay a fee or license, for the use of the State, before commencing business in this State."

MASSEY WILSON,
Clerk.

HOUSE MESSAGES.

The house bills in the foregoing message were severally read once and referred to appropriate committees as follows:

H. 228, to municipal and county orginizations;
H. 682, 735. 490, to finance and taxation;
H. 755, 711, 710, to education;
H. 353, 665, 921, 871, 601, to local legislation;
H. 627, to temperance;
H. 461, to public health,
H. 805, to corporations.

The senate insisted on its amendments to the house bill

H. 535. To provide for the more efficient assessment and collection of taxes in the State of Alabama;

And acceded to the request of the house for a committee of conference thereon.

The president announced as the conference on the part of the senate, Messrs. Brewer, Hawkins and Deens of Covington.

INTRODUCTION OF BILLS.

By leave of the senate bills were introduced severally read one time and referred to appropriate committees as follows:

By Mr. Brown (by request)—

s. 396. To amend section two of an act entitled an act to establish a new charter for the city of Cullman, Alabama, approved December 12th, 1890,

Municipal and county organizations;

Also, (by request).

s. 397. To incorporate the Home Mutual Fire Insurance Company of Alabama and define its rights, powers, franchises and duties,

Commerce and common carriers;

By Mr. Cunningham—

s. 398. For the relief of Mack Homes by paying to him $6,600.00 to compensate him for the loss of certain lands to-wit: The north half of south-west quarter of section 4 township 17 south range 3 west in Jefferson county, Alabama,

Finance and taxation;

Also.

s. 399. To amend an act entitled an act to fix the time and define the term for holding the circuit court in the several counties of the tenth judiciary circuit,

Judiciary;

Also,

s. 400. To amend section 4 of an act entitled an act to amend an act entitled an act to establish the city court of Birmingham, approved December 9th, 1884,

Judiciary;

Also,

s. 401. To ratify and amend the incorporation of "Steiner Brothers" a corporation organized to do a banking business under the general laws of the State of Alabama, so as to confine in said corporation all the rights, powers and privileges given by law to such corporations, and also to confer additional powers upon said corporation,

Commerce and common carriers;

MESSAGE FROM THE HOUSE.

Mr. President:

The house has concurred in the report of the conference committe on the disagreement of the two houses on the senate amendments to the house bill,

H. 535. To provide for the more efficient assessment and collection of taxes in the State of Alabama.

And has concurred in the report of the conference committee on the disagreement of the two houses, on the house amendments to the senate bill,

s. 171. To further regulate the financial affairs of Dallas county.

MASSEY WILSON,
Clerk.

REPORT OF CONFERENCE COMMITTEE.

Mr. Brewer, from a committee of conference submitted the following report:

Mr. President:

The committee of conference on the disagreeing votes of the two houses on house bill No. 535, entitled "A bill to be entitled an act to provide for the more efficient assessment and collection of taxes in the State of Alabama," have had the same under consideration, and beg leave to report as follows, viz:

That they recommend that the house concur in the senate amendments to the bill.

W. BREWER, Chairman,
HIRAM HAWKINS,

D, C. CASE,
Managers on part of the senate.
D. J. MEADOR, Chairman,
J. J. MITCHELL,
W. B. KILLEBREW,
Managers on part of the house.

The report was concurred in.

Yeas, 23; nays, 0.

Yeas:

Messrs. President, Bethune, Boykin, Brewer, Brooks, Brown, Buchanan, Case, Cunningham, Deans of Covington, Grant, Hall, Hawkins, Hogue, Lee, Matthews, McElderry, Moody, Pettus, Robinson, Smith, Thomason, Walker—23.

REPORT OF CONFERENCE COMMITTEE.

Mr. Pettus from a conference committee submitted the following report:

Mr. President:

Your committee of conference on the disagreement of the two houses on senate bill 171 "To be entitled an act to further regulate the financial affairs of Dallas county," have had the same under consideration and beg leave to report as follows: That the senate concur in the house amendments.

F. L. PETTUS,
THOS. H. SMITH,
W. J. BOYKIN,
Conferees on part of senate.
P. H. PITTS,
VIRGIL BOULDIN,
D. J. MEADOR,
Conferees on part of house.

The report was concurred in.

Yeas, 25; nays, 0.

Yeas:

Messrs. President, Bethune, Brewer, Brown, Buchanan, Case, Cunningham, Deans of Shelby, Deens of Covington, Grant, Hall, Hawkins, Hogue, Hollis, Hundley,

Lee, Matthews, McElderry, Moody Nolen, Pettus, Robinson, Smith, Thomason, Walker—25.

SPECIAL ORDER.

The senate next proceeded to consider the special and continuing order set for 11 o'clock A. M. to-day, which was the bill,

S. 237. To provide for the regulation of railroad companies and persons in this State; and to provide for the regulation of railroad freight and passenger tariffs; and the location and building of passenger and freight depots and to regulate rates of storage to be charged; to prevent unjust discriminations in the rates charged for transportation of passengers and freight, and to prohibit railroad companies, corporations and lessees in this State from charging other than just and reasonable rates, and to prescribe a mode of procedure and rules of evidence in relation thereto; and to appoint commissioners and to prescribe their powers and duties in relation to the same.

Amendments reported by the committee pending.

On motion of Mr. Boykin, the amendments were laid on the table.

Mr. Boykin offered an amendment to the caption of the bill as follows:

Amend title by striking out the word "appoint" and insert in lieu thereof the words "regulate the future appointments thereof."

Which was adopted.

Mr. Boykin offered a further amendment to strike out in the enacting clause "the State of."

Which was adopted.

Mr. Boykin offered a further amendment,

Pending its consideration.

MESSAGE FROM THE HOUSE.

Mr. President:

The house has concurred in the report of the conference committee on the disagreement of the two houses on

senate amendment to the house bill,

H. 420. To authorize the mayor and aldermen of the city of Huntsville to issue bonds of said city for an amount not exceeding thirty thousand dollars for the exclusive purpose of building and repairing and constructing sewers.

MASSEY WILSON,
Clerk.

REPORT OF CONFERENCE COMMITTEE.

Mr. Hundley from a committee of conference submitted the following report:

Mr. President:

The undersigned committee on conference, as to H. B. 420, beg leave to report as follows:

1st. We recommend that the house concur in the senate amendments.

2nd. We recommend that the caption and body of the bill be amended by striking out the word "thirty" therein and insert in lieu thereof the word "forty."

OSCAR R. HUNDLEY,
A. W. DEENS,
For the senate.
JOHN P. HAMPTON,
VIRGIL BOULDIN,
W. C. DAVIS,
For the house.

The report of the committee was concurred in.

Yeas, 25; nays, 0.

Yeas:

Messrs. President, Abercrombie, Boykin, Brooks, Browder, Brown, Buchanan, Case, Cunningham, Deans of Shelby, Deens of Covington, Grant, Hall, Hawkins, Hogue, Hollis, Hundley, Lee, Matthews, Moody, Nolen, Pettus, Robinson, Smith, Thomason—25.

ADJOURNMENT.

On motion of Mr. Deans of Shelby, at 5:40 o'clock P.

M. the senate adjourned until to-morrow morning at 10 o'clock.

THIRTY-SEVENTH DAY.

TUESDAY, February 2nd, 1897.

The senate met pursuant to adjournment.
Prayer by Rev. Mr. Robinson, of the senate.
Present:
Messrs. President, Abercrombie, Bethune, Boykin, Brewer, Brooks, Brown, Buchanan, Case, Cunningham, Deens of Covington, Grant, Hall, Hawkins, Hogue, Hollis, Hundley, Lee, Matthews, McElderry, Moody, Nolen, Robinson, Smith, Thomason, Walker—26.

READING OF THE JOURNAL.

On motion of Mr. Boykin, the reading of the journal was dispensed with, and it was approved.

LEAVE OF ABSENCE

Leave of absence was granted to Mr. Kilpatrick for to-day, and to Mr. Sowell indefinitely, on account of sickness.

REPORT OF COMMITTEE ON ENROLLED BILLS.

Mr. Matthews, from the committee on enrolled bills, reported the following bills correctly enrolled:

s. 156. To establish a charter for the town of Ashland, Clay county, Alabama;

s. 255. To authorize the court of county commissioners of Madison county to aid in keeping up the Hutsville Infirmary;

s. 184. To unite all of fractional township 13, R. 5, with all of township 13, R. 4, between Oak Tuppah creek, in Choctaw county, into one township school district;

s. 261. To prevent the running at large of stock in

certain portions of Talladega county;

s. 87. To ratify and confirm the organization of the Mobile & Birmingham Railroad Company and to declare the rights, powers, franchises and privileges of said Mobile & Birmingham Railroad Company;

s. 171. To further regulate the financial affairs of Dallas county.

SENATE BILLS SIGNED.

The president of the senate in the presence of the senate, immediately after their titles had been publicly read by the secretary, signed the senate bills, the titles of which are set out in the foregoing report of the committee on enrolled bills:

INTRODUCTION OF BILLS.

On the call of the districts, bills were introduced, read and referred to appropriate committees, as follows:

By Mr. Robinson—

s. 402. To amend section two of an act approved February 10th, 1891, incorporating the city of Ashville, in St. Clair county, Alabama;

Judiciary;

By Mr. Abercrombie, (by request)—

Judiciary;

s. 403. To create a separate school district in Etowah and Calhoun counties, to be known as the Coosa Valley school district,

Education;

By Mr. Thomason—

s. 404. To authorize Dr. R. C. Stevens, graduate of the Southern Medical College, of Atlanta, Ga., to practice medicine in the county of Randolph,

Judiciary;

By Mr. Brooks—

s. 405. To establish a separate school district in Geneva county, Alabama, to be known as the Dundee school district,

Education;

By Mr. Matthews—

s, 406. To declare R. L. White, J. B. Cantrell, and W. C. McKay, citizens of Marion county.

MESSAGE FROM THE HOUSE.

Mr. President:

The house has passed the following senate bill:

s. 241. To relieve the disabilities of non-age of William Bellinger Bell, a minor under the age of eighteen years.

MASSEY WILSON,
Clerk.

REPORTS OF COMMITTEES.

Bills were reported from committees and read a second time, as follows:

By Mr. McElderry, from judiciary, favorably—

H. 898. To give priority to the oldest claims against the fine and forfeiture fund in the county of Monroe;

Also,

s. 357. To amend section 1 of an act to regulate the practice and proceedings in civil cases in the circuit courts of Colbert and Lauderdale counties in this State and in the supreme court on appeals from judgment rendered in such cases, approved February 18, 1895;

Also,

s. 355. To fix the time of holding the circuit court of Marion county, in this State, and regulate the proceedings in such court;

Also,

s. 346. To require the payment of one-half of all statutory penalties into the State treasury, and prescribe the duty of solicitors in reference thereto;

Also,

s. 342. To amend an act entitled an act to establish a new charter for the city of Huntsville, approved December 9th, 1896;

Also,

S. 343. To amend section 3612 of the code of Alabama;

Also,

S. 374. To further regulate the holding circuit courts in Clay county, Alabama;

Also,

H. 848. To fix the terms of office of mayor, aldermen and other city officers of the city of Montgomery;

Also,

H. 771. To confer power on the Opelika board to appropriate money out of the revenues of the district of Opelika to the support of its public schools;

Also,

H. 762. To amend an act entitled "an act to establish the thirteenth judicial circuit of the State of Alabama, to fix the time for holding courts therein, and to provide for the appointment of a judge and the election of a solicitor for said circuit, approved February 12, 1895;

Also, with amendment,

H. 375. To amend an act, to better prevent the commission of trespass upon lands in precincts Nos. four, five, six, seven, eight, nine and fifteen in Hale county, Alabama;

Also, favorably,

H. 151. To amend section 2679 of the code;

Also,

H. 693. To declare W. F. Ponder, a liner of the county of Clay, a citizen of the county of Talladega;

Also,

H. 384. To amend section 4 of an act entitled an act to more effectually secure competent and well qualified jurors in the several counties of this State, approved February 28th, 1887, so far as the same applies to Fayette county;

Also,

H. 728. To change the name of Oliver Taylor Cummings, a minor, to Oliver Cummings Cooper;

Also

H. 759. To repeal an act entitled an act, to regulate sheriffs and coroners sales in the county of St. Clair,

approved Feb. 1, 1856;

By Mr. Brewer, from finance and taxation, favorably—

H. 740. To authorize the levy and collection of a tax upon property within the city of Birmingham, Alabama, for the maintenance of the public schools of said city;

Also,

s. 389. To amend an act entitled an act to provide for the payment of claims against the fine and forfeiture fund of Tuscaloosa county, approved Feb. 1st, 1895;

Also,

s. 390. To dispose of the fees and compensation of the clerk of the circuit court and sheriff of Tuskaloosa county; and to prescribe the mode of compensating said clerk and sheriff;

Also

s. 373. To better provide for the refitting and refurnishing of the office and library of the State superintendent of education of Alabama, with suitable cases, fixtures, files, furniture and appliances, for the records of said office;

Also,

s. 349. To amend section 1 of an act entitled "an act to amend an act entitled an act for the relief of needy Confederate soldiers and sailors residents of Alabama, who from wounds or other causes, are now unable to earn a livelihood, and for the widows of such as were killed or died in said war, and have not since re-married," approved February 18th, 1895;

Also,

s. 354. To fix the time or period of redemption of any renewal or funding bonds, which the governor of this State may issue:

Mr. Cunningham from penitentiary, favorably,—

s. 353. To amend section 4532 of the code of 1886;

Also,

H. 202. To provide guards for the Montgomery county jail;

Also,

H. 575. To amend section 84 of an act to regulate the management of State and county convicts, approved Feb. 18th, 1895, so far as relates to Marion and Bibb counties;

Privileges and elections, favorably, with amendment,—

H. 766. To provide for the appointment of an official stenographer for the courts of record of Mobile county, and to define his duties and regulate his compensation;

Mr. Kilpatrick from municipal and county organizations, favorably,—

H. 153. To incorporate the town of Clanton, in the county of Chilton, State of Alabama, and to repeal all former charters for said town;

Also,

H. 733. To amend the charter of the town of Scottsboro, in Jackson county;

Also,

H. 667. To amend section two (2) of an act entitled "an act to create a new charter for the city of Florence, Alabama," approved February 28th, 1889;

Also,

H. 534. To incorporate the town of Sulligent, in the county of Lamar, State of Alabama;

Also,

H. 427. To annul, abolish and discontinue the incorporation of the town of Blountsville, in Blount county, to provide for the payment of the outstanding indebtedness of said town and for the sale of its property;

Also,

H. 647. To amend sections 2, 12, 15 and 17 of an act entitled an act to create a new charter for the town of Heflin, Cleburne county, Alabama, approved December 12, 1894;

Mr. Brewer from finance and taxation, favorably,—

H. 465. To require the re-registration of existing claims against the fine and forfeiture fund of Lowndes county, Alabama, and to prescribe the time within which future claims against such fund shall be certified to and registered;

Mr. Walker from corporations favorably, with amendment,—

S. 240. To define and regulate fraternal beneficiary orders;

Mr. McElderry from committee on privileges and elections returned

H, 33. To amend section 2524 of the code,

And asked that the same be transferred to the judiciary committee, which was accordingly done.

Mr. Hogue from the committee on judiciary returned

H. 897. For the relief of the Seaboard Railway Company of Alabama,

And on motion, said bill was referred to the committee on finance and taxation.

MESSAGE FROM THE HOUSE.

Mr. President:

The house has originated and passed the following bills:

H. 695. To further regulate the issue of license to retail spirituous or vinous liquors in precinct 12 of Tallapoosa county;

H. 669. To prohibit the sale, giving away or otherwise disposing of any alcoholic, vinous or malt liquors or other intoxicating drinks or beverages within (3) three miles of Wesley's chapel in Shoalford beat in Limestone county; also beats 5, 6 and 7, known respectively as Gilbertsboro, Wickham and Pleasant Grove in West Limestone;

H. 810. For the preservation of game, animals and birds in beat No. 17, in Hale county;

H. 710. To establish a separate school district in Barbour county, Alabama, to be known as the Clio school district;

H. 592. To authorize the mayor and council of the town of Georgiana to negotiate a loan for the purpose of establishing sanitary sewerage and public water supply in the town of Georgiana and to issue bonds for the payment of said loan;

H. 603. To prohibit the sale, giving away or otherwise disposing of spirituous, ninous or malt liquors or any intoxicating bitters within four miles of Tuscaloosa District High School, situated at Berry station, Fayette county, Alabama;

H. 301. To refund license to J. M. Hammitt, of Eto-

wah county, Alabama;

H. 750. To authorize and empower the board of control of the North East Alabama agricultural experiment station and agricultural school at Albertvillle, Alabama, to sell certain lands deeded to the State of Alabama, for the benefit of said school;

H. 917. To repeal an act to more effectually secure competent and well qualified jurors for the county of Marengo, approved December 9th, 1896;

H. 696. To repeal an act entitled an act to establish the Sylvan agricultural district; to authorize the erection of an outside fence and to dispense with inside fences, and to levy taxes to erect said fences, and to defray all the current expenses of said district;

H. 832. To amend section 1 of an act for the protection of land and property against the depredations of live stock in portions of precincts number one, two, three, four, five and six in Autauga county;

H. 789. To establish a separate school district known as the Jackson school district in Clarke county, Alabama;

H. 664. To incorporate the board of lady managers of Hillman Hospital in Birmingham, Alabama, to be known as the Board of Lady Managers of the Hillman Hospital;

H. 731. To provide for the publication or posting of ordinances, by-laws or resolutions passed by the mayor and aldermen of the town of Dothan;

H. 674. To provide for the payment of grand jury certificates heretofore issued by the foreman of grand jury, when the same have been registered, in Madison county;

H. 480. To repeal sections 6, 7, 8, 11, 12, 13, 14, 15, 16, 19, 20, 23 and 24 of an act entitled "an act to regulate the taking of oysters from the public reefs in this State for sale or planting, approved December 10th, 1892;"

H. 481. To repeal an act approved December 14, 1894, entitled an act to amend section two of an act entitled an act to amend sections one and twelve of an act entitled an act to regulate the taking of oysters from the public reefs of the State, for sale or planting, approved December 10, 1892, and to repeal an act entitled an act

to regulate the planting and taking of oysters in the waters of this State, approved February 18, 1891, which act was approved February 14th, 1893;

H. 482. To repeal section two of an act approved February 14, 1893, entitled an to amend sections one and twenty of an act to regulate the taking of oysters from the public reefs in the State for sale or planting, approved December 10, 1892, and to repeal an act entitled an act to regulate the planting and taking of oysters in the waters of this State, approved February 18, 1891.

H. 736. To authorize and empower the board of education of the city of Birmingham, Alabama, to collect tuition of the pupils of the public schools of said city, residents of the city of Birmingham, Alabama, while attending said schools, to supplement the public school funds of sad city for the support and maintenance of the public schools of said city.

H. 816. To confirm the organization and incorporation of the Birmingham, Powderly and Bessemer Railway Company and to confer on it additional powers;

H. 703. To further regulate elections in the State of Alabama;

H. 863. To regulate the sale of spirituous, vinous and malt liquors within the corporate limits of the "town of Lanett," Alabama.

MASSEY WILSON,
Clerk.

HOUSE MESSAGES.

The house bills in the foregoing house message were severally read once and referred to appropriate committees as follows:

H. 695, 301, to finance and taxation;

H. 669, 603, 863, to temperance;

H. 810, 917, 696, 832, 480, 481, 482, to local legislation;

H. 710, 789, to education;

H. 592, 731, 674, 736, to judiciary;

H. 750, to agriculture;

H. 664, 816 to corporations.
H. 703, to privileges and elections.

BILLS ON THIRD READING.

By leave, Mr. Nolen called up the bill,
H. 298. To prevent stock from running at large in beat No. 16, Coosa county, Alabama,
Which was read a third time and passed—yeas 21, nays, 0.
Yeas:
Messrs. President, Abercrombie, Bethune, Boykin, Brewer, Brooks, Brown, Case, Day, Deans of Shelby, Deens of Covington, Grant, Hogue, Hollis, Lee, Matthews, McElderry, Moody, Nolen, Robinson, Smith, Thomason—21.

UNFINISHED BUSINESS.

The senate next proceeded to consider the unfinished business of yesterday, which was the bill,
S. 237. To provide for the regulation of railroad companies and persons in this State; and to provide for the regulation of railroad freight and passenger tariffs; and the location and building of passenger and freight depots, and to regulate rates of storage to be charged; to prevent unjust discriminations in the rates charged for transportation of passengers and freights, and to prohibit railroad companies, corporations and lessees in this State from charging other than just and reasonable rates, and to prescribe a mode of procedure and rules of evidence in relation thereto; and to appoint commissioners and to prescribe their powers and duties in relation to the same.
Mr. Boykin, from the committee on commerce and common carriers, offered amendments.
Which were severally adopted.
Mr. Deans, of Shelby, offered an amendment, as follows:
Amend in line 3, section 1, by adding after the word associates "and no two of said commissioners shall be

members of the same political party, and the commissioners shall be appointed from the three dominant political parties.

On motion of Mr. Boykin, the amendment was laid on the table.

Yeas 16, nays 8.

Yeas:

Messrs. President, Abercrombie, Bethune, Boykin, Brown, Buchanan, Cunningham, Grant, Hawkins, Hogue, Lee, Matthews, McElderry, Moody, Smith, Thomason, Walker—16.

Nays:

Messrs. Brooks, Case, Day, Deans of Shelby, Hall, Hollis, Hundley, Nolen—8.

Mr. Sayre, Mr. Brewer presiding, offered an amendment to section 5 of the bill,

Which was adopted.

Mr. Abercrombie offered an amendment to section 6,

Which was adopted.

Mr. Buchanan offered an amendment to section 6 by adding Troy, Eufaula and Huntsville.

Which, on motion of Mr. McElderry, was laid on the table.

Mr. Case offered an amendment as follows:

Amend section 19 by adding thereto the following:

That section nineteen of this bill be amended by adding as follows: "Provided further, that the railroad commission which shall have been appointed by the governor and after its appointment shall have expired, it shall ever thereafter be elected by the people at the regular State election, whose term of office shall be four years.

Which was adopted—yeas 25, nays 2.

Yeas:

Messrs. President, Abercrombie, Bethune, Boykin, Brooks, Brown, Buchanan, Case, Cunningham, Day, Deans of Shelby, Deens of Covington, Grant, Hall, Hawkins, Hogue, Hollis, Hundley, Matthews, McElderry, Nolen, Robinson, Smith, Thomason, Walker—25.

Nays:

Messrs. Brewer and Moody—2.

Mr. Cunningham moved that the further consideration of the bill be postponed until after the report of committees on Friday, February 5th, at which time it shall be the special order until disposed of, and that 100 copies of the bill as amended be printed for the use of the senate,

Which motion was lost.

The bill was ordered to the third reading, and was read the third time.

RECESS.

At 1:15 o'clock P. M., the senate took a recess until 3:30 o'clock this afternoon.

AFTERNOON SESSION.

The senate reassembled at 3:30 o'clock P. M., and was called to order by the president.

A quorum was present.

UNFINISHED BUSINESS.

The senate resumed consideration of the bill,

s. 237. To provide for the regulation of railroad companies and persons in this State; and to provide for the regulation of railroad freight and passenger tariffs; and the location and building of passenger and freight depots, and to regulate rates of storage to be charged; to prevent unjust discriminations in the rates charged for transportation of passengers and freights, and to prohibit railroad companies, corporations and lessees in this State from charging other than just and reasonable rates, and to prescribe a mode of procedure and rules of evidence in relation thereto; and to appoint commissioners and to prescribe their powers and duties in relation to the same.

The bill passed.

Yeas 18, nays 7.

Yeas:

Messrs. President, Abercrombie, Bethune, Boykin, Brooks, Brown, Buchanan, Case, Cunningham, Hawkins, Hogue, Matthews, McElderry, Nolen, Robinson, Smith, Thomason, Walker—18.

Nays:

Messrs. Day, Deans of Shelby, Deens of Covington, Grant, Hollis, Hundley, Lee—7.

MESSAGE FROM THE GOVERNOR.

STATE OF ALABAMA, EXECUTIVE DEPARTMENT
OFFICE OF THE GOVERNOR,
MONTGOMERY, February 2, 1897.

Mr. President:

I am directed by the Governor, to communicate to the senate an executive message in writing.

Respectfully,

CHAPPELL CORY,
Private Secretary.

THE STATE OF ALABAMA, EXECUTIVE DEPARTMENT,
OFFICE OF THE GOVERNOR.
MONTGOMERY, ALA., February 2, 1897.

To the Senate:

I respectfully submit, for your advice and consent, the following nominations:

For trustee of the Industrial School for white girls from the State at large, for the term ending January 12th, 1903—Geo. B. Eager.

For trustee of the Industrial School for white girls from the First Congressional District for the term ending January 12th, 1903—H. Austill.

For trustee of the Industrial School for white girls from the Second Congressional District, for the term ending January 12th, 1903.—Sol. D. Bloch.

JOS. F. JOHNSTON,
Governor.

GOVERNOR'S MESSAGE.

On motion of Mr. Hundley, the senate proceeded, in open session to consider the governor's message just received,

And the senate consented to and confirmed the appointment made as suggested in the foregoing message.

INTRODUCTION OF BILLS.

By leave, bills were introduced read the first time and referred to appropriate committees as follows:

By Mr. Deans (of Shelby)—

s. 407. To authorize and empower the commissioners court of Shelby county, to borrow money in the name and for the use of the county and to bind the county for the payment of the same, not exceeding in amount five thousand dollars,

Finance and taxation;

Also,

s. 408. To authorize the board of the mayor and council of the city of Calera to issue bonds of said city for an amount not exceeding ten thousand ($10,000.00) dollars, for the purpose of building and furnishing public school buildings in the said city,

Finance and taxation;

By Mr. Brooks (by request)—

s. 409. To make it lawful to sell or otherwise dispose of spiritous, vinous or malt liquors and intoxicating beverages within the corporate limits of the town of Abbeville, Henry county, Alabama,

Temperance;

By Mr. Brown—

s. 410. To amend section two of an act entitled an act to provide for the holding of regular terms of circuit and chancery courts when the judge or chancellor fails to attend, or when impeachment charges are pending against such judge or chancellor, approved February 18th, 1895,

Judiciary;

Also,

s. 411. To create the office and define the jurisdiction

duties and powers, of supernumerary judge,

Judiciary;

Also,

s. 412. To authorize judges of the circuit, city, criminal and inferior courts of common law jurisdiction in the State of Alabama, to receive verdicts of juriors on Sunday and to extend the term in such courts for the purpose of receiving such verdicts,

Judiciary;

By Mr. Brewer—

s. 413. To amend sections one and six of an act entitled an act to incorporate the town of Fort Deposit in the county of Lowndes, approved February 13th, 1891,

Municipal and county organizations;

By Mr. Bethune—

s. 414. To authorize the court of the county commissioners of Bullock county to issue and sell bonds of said county to an amount of ten thousand dollars for the purpose of reparing the present jail of Bullock county or building a new jail for the said county,

Finance and taxation;

By Mr. Sayre—

s. 415. Making it unlawful for Fire, Fire Marine and Marine Insurance companies not organized under the laws of the State of Alabama, but legally licensed to transact Fire, Fire Marine and Marine Insurance therein, and doing business therein through regularly commissioned agents to place or cause to be placed on property in this State except through agents located in the State legally authorized to write policies of insurance therein and prescribing penalties for violation of same, also, to prescribe further conditions to be complied with by Fire, Fire Marine and Marine Insurance companies before receiving licenses to do business in this State,

Corporations.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESETATIVES Feby. 2, 1897.

Mr. President:

The speaker has signed the following house bills, to

which your signature is requested:

H. 420. To authorize the mayor and aldermen of the city of Huntsville to issue bonds of said city for an amount not exceeding forty thousand dollars for the exclusive purpose of building and reparing and construct ing sewers;

H. 269. To create township ninteen, range five, Hale county, Alabam, a separate school district, to incorporate the same and define its powers and duties and to provide for the maintenance and management of the public schools of said district;

H. 298. To prevent stock from running at large in beat No. 16, Coosa county, Alabama.

MASSEY WILSON,
Clerk.

REPORT FROM COMMITTEE ON ENROLLED BILLS.

Mr. Matthews from the committee on enrolled bills reported as correctly enrolled the following bill:

S. 241. An act to remove the disabilities of non-age of William Bellenger Bell, a minor under the age of eighteen years.

W. H. MATTHEWS,
Chairman.

SIGNING BILLS.

The president of the senate in the presence of the senate immediately after their titles had been publicly read by the secretary, signed the senate and house bills whose titles are set forth in the above and foregoing report from the committee on enrolled bills, and house message.

BILLS ON THIRD READING.

Mr. Nolen, by leave, called up the bill,

H. 298. To prevent stock from running at large in beat No. 16 Coosa county, Ala.,

Which was read a third time and passed.—Yeas, 28, nays, 0.

Yeas:

Messrs. President, Abercrombie, Bethune, Boykin, Brewer, Brooks, Brown, Buchanan, Case, Cunningham, Day, Deans, of Shelby, Deans, of Covington, Grant, Hawkins, Hogue, Hollis, Hundley, Lee, Matthews, McElderry, Moody, Nolen, Robinson, Smith, Sowell, Thomason, Walker—28.

By leave, Mr. Smith called up the bill,

H. 826. To provide a charter for the city of Mobile.

The amendments reported by the committee were severally adopted.

The bill as amended was read a third time and passed Yeas, 27, nays, 0.

Yeas:

Messrs. President, Abercrombie, Bethune, Boykin, Brewer, Brooks, Brown, Buchanan, Case, Cunningham, Day, Deans, of Shelby, Deens, of Covington, Grant, Hawkins, Hogue, Hollis, Hundley, Lee, Matthews, McElderry, Moody, Nolen, Robinson, Smith, Sowell, Thomason—27.

By leave, Mr. Case called up the bill

H. 347. To establish a criminal court for the county of Cherokee, with criminal jurisdiction in misdemeanor cases and to provide for appointment of a judge and solicitor for such court.

And on his motion the bill was recommitted to the Judiciary committee.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has originated and passed the following bills,

H. 248. To amend the charter of the Sloss Iron and Steel Company, a body corporate.

H. 479. To repeal an act approved February 18th, 1895, entitled "An act to amend Section 1 of an act entitled "An act to amend Section 2 of an act" "An act to amend Sections 1 and 12 of an act entitled "An act to regulate the taking of oysters from the public reefs in this State, for sale or planting, approved December 10, 1892, and to repeal an act entitled an act to regulate the planting and taking of oysters in the

waters of this State, approved February 18, 1891, which act hereby amended was approved December 14, 1894. And to repeal sections 10 and 13 of an act entitled "An act to regulate the taking of oysters from the public reefs in this State for sale or planting, approved December 10, 1892."

H. 560. To prohibit the sale of or giving away or otherwise disposing of vinous, spirituous or malt liquors or intoxicating bitters, beverages or other intoxicating drinks within beat number one (commonly known as Girard beat) in Russell county.

H. 883. To regulate the collection of the poll tax in the Tuscumbia School District of Colbert county.

H. 949. To fix and regulate the fees of the Registers in Chancery of Lamar, Jefferson, Tuskaloosa, Russell, Macon, Hale, Chambers, Wilcox, Colbert, Calhoun, Lowndes, Perry, Bibb, Clarke, Washington, Montgomery, Greene, Barbour, Randolph, Morgan, Bullock, Mobile and Fayette counties.

H. 957. To establish a board of Revenue for Barbour County, approved February 18th, 1895.

And has concurred in the Senate amendment to

H. 826. To provide a charter for the city of Mobile.

MASSEY WILSON.

HOUSE MESSAGES.

The House bills in the foregoing house message were severally read once and referred to appropriate committees as follows:

H. 248, to corporations.

H. 479, 883, 949, to local legislation.

H. 560, to temperance.

H. 959, to judiciary.

STATE OF ALABAMA, EXECUTIVE DEPARTMENT,
OFFICE OF THE GOVERNOR,
MONTGOMERY, Feb. 2, 1897.

Mr. President:

The governor has approved the following bills, which originated in the senate:

Senate No. 340, 171, 255, 184, 261, and 129.

Very respectfully,

JAMES B. SIMPSON,
Recording Secretary.

BILLS ON THIRD READING.

On motion of Mr. Matthews, the bill

s. 296. To fix the rate of charges for recording and transcribing in the State and county offices in this State,

Was indefinitely postponed.

SPECIAL ORDER.

The senate next considered the special order for this hour, being the bill

s. 284. To regulate the public school system of the State of Alabama.

Amendments were offered, and pending the consideration of same in the senate.

ADJOURNMENT.

At 5:48 o'clock P. M., adjourned until 10:30 o'clock tomorrow morning.

THIRTY-EIGHTH DAY.

Wednesday, Feby. 3, 1897.

The senate met pursuant to adjournment.

Prayer by Rev. Dr. Anderson, of the city.

Present:

Messrs. President, Bethune, Boykin, Brewer, Brooks, Brown, Buchanan, Case, Cunningham, Day, Deans of

Shelby, Deens of Covington, Grant, Hall, Hawkins, Hogue, Hollis, Hundley, Kilpatrick, Lee, Matthews, McElderry, Moody, Nolen, Pettus, Robinson, Smith, Sowell, Thomason, Walker—31.

READING OF JOURNAL.

On motion of Mr. Hogue the reading of the journal was dispensed with and the same was approved.

INTRODUCTION OF BILLS.

On a call of districts, bills were introduced, read and referred to appropriate committees, as follows:

By Mr. Hawkins—

s. 416. To amend section 4 of an act entitled an act to establish a board of revenue for Barbour county, approved Feby. 18th, 1895,

Local legislation;

By Mr Moody—

s. 417. To amend an act, approved February 12, 1879, entitled "an act to establish the Warrior Agricultural District," to provide for the securing of the same, and the management of its affairs,

Agriculture;

By Mr. Cunningham—

s. 418. To regulate the purchase of books and stationery by county officers in the State of Alabama,

Printing;

Also,

s. 419. To authorize, ratify and confirm the schedule of licenses for the city of Birmingham for the year 1887 and the ordinances of the board of mayor and aldermen of said city adopting and establishing the same,

Finance and taxation;

Also,

s. 420. To prescribe the manner of filling vacancies in the office of mayor and aldermen of the city of Birmingham,

Municipal and county organizations;

Also,

s. 421. To amend the charter of the city of Birmingham, so as to change and establish the time for holding elections for mayor and aldermen in said city; to alter, define and fix the term of office of the present mayor and aldermen hereafter to be elected; and to provide for the drawing of lots to determine which of the present aldermen of said city shall hold for the short term and the long term respectively,

Municipal and county organizations;

Also,

s. 422. To provide for the collection of local assessments of the mayor and aldermen of Birmingham,

Finance and taxation;

By Mr. Sayre—

s. 423. To relieve Lou Ellen Callaway and Mary Edna Callaway of the disabilities of non-age,

Judiciary;

By Mr. Matthews—

s. 424. To provide for the registration and lien of judgments for the payment of money in the courts of justice of the peace in Marion county, Alabama,

Judiciary;

By Mr. Buchanan (by request)—

s. 425. To prevent stock from running at large in Crenshaw county,

Agriculture;

By Mr. Pettus,

s. 426. To incorporate the Commercial Club of Selma, Ala.,

Corporations;

Also,

s. 427. To regulate the volunteer military forces of the State of Alabama,

Military.

REPORTS OF COMMITTEES.

Bills were reported from committees and read a second time as follows:

Mr. Hogue from local legislation, favorably, with amendment—

H. 247. To provide for the more efficient working of

the public roads in Greene county, and for the appointment of district road inspectors for Greene county;

Also,

s. 329. To provide for the more efficient working, keeping up, repairing and improving the public roads and bridges, and opening and making new public roads and bridges in the county of Morgan; to locate, construct and build, within the limits of said county, a system of public roads of a superior grade, to be known and designated as "county roads;

Mr. Abercrombie from education, favorably—

H. 755. To authorize the trustees of township 16, range 17, in Montgomery county, to sell the house and lot on Holt street, in the city of Montgomery, now belonging to the township, and to reinvest the proceeds in other school property outside of the city of Montgomery for the use and benefit of the children of said township;

Mr. McElderry from privileges and elections, favorably—

H. 814. To provide for the compensation of the registrar of voters of Jefferson county;

Mr. Walker from corporations, favorably—

H. 903. To incorporate the Guarantee Trust and Surety Company;

Also,

H. 805. To amend an act to incorporate the Alabama Mutual Fire Insurance Company, and to define its rights, powers, and franchises, approved January 23d, 1895;

Also,

H. 845. To require fire insurance companies doing business in the county of Montgomery to pay annually, two hundred dollars each to a fund for the benefit of the fire companies of the city of Montgomery, to provide a penalty for a failure or refusal to pay said fund and to regulate the disposition of said fund;

Also,

H. 928. To authorize Colbert county to build macademized or turnpike roads, and to issue bonds of the county to aid in the construction thereof;

Also,

H. 469. To incorporate the West Anniston Hose Co. No. 4, located in the city of Anniston, Calhoun county,

Alabama;

Also,

H. 748. To amend an act entitled an act to amend sections two, five, six and nine of an act entitled an act to incorporate the town of Tuskegee, in the county of Macon and for other purposes, approved February 11, 1893.

Also,

S. 384. To incorporate the Montgomery Real Estate Investment and Security Company;

Also, with amendment,

S. 387. To incorporate the Peaceburgh Camp Ground, in Calhoun county, to authorize and empower the trustees, cabin owners and tent holders, to pass and enforce rules and regulations to maintain and preserve good order within one mile of said camp grounds, and to control its management;

Mr. Brewer, from finance and taxation, favorably—

S. 414. To authorize the court of county commissioners of Bullock county to issue and sell bonds of said county to an amount of $10,000, for the purpose of repairing the present jail of Bullock county, or building a new jail for the said county;

Mr. Moody, from temperance, favorably—

S. 380. To regulate the sale of spirituous, vinous and malt liquors in the corporate limits of the town of Roanoke, in Randolph county, Alabama;

Mr. Walker, from public health, favorably—

S. 325. To prohibit the adulteration of candies and confectioneries, and the sale or other disposition thereof, and the keeping of adulterated candies and confectioneries for sale or other disposition;

Mr. Pettus, from judiciary, favorably—

H. 524. To amend an act entitled au act to fix the time and place of holding circuit court in the third judicial circuit, approved December 17th, 1894;

Mr. Moody, from temperance, favorably, with amendment—

H. 627. To prohibit the sale or bartering of any spirituous, vinous or malt liquors or intoxicating bitters or beverages within the corporate limits of the town of

Clayton, in the county of Barbour;

Mr. Kilpatrick, from municipal and county organizations, favorably—

s. 413. To amend sections 1 and 6 of an act entitled "an act to incorporate the town of Fort Deposit in the county of Lowndes," approved February 13th, 1891;

Also, favorably,

H. 730. To provide for the election of a mayor and five aldermen for the town of Dothan and to fix the time of said election;

Also,

H. 244. To establish a charter for the city of Vincent in Shelby county, Alabama;

Also,

H. 518. To amend sections 2 and 20 of an act to establish a charter for the town of Brundidge, in Pike county, Alabama, approved February 21st, 1893;

Mr. Moody, from temperance, favorably—

s. 331. To prohibit the sale or otherwise disposing of any alcoholic, vinous or malt liquor or other intoxicating drink within five miles of the Baptist and Methodist churches at Searight, in Crenshaw county, Alabama;

Mr. Pettus, from judiciary, without recommendation—

s. 295. To regulate the business of insurance in the State of Alabama;

Also, favorably,

H. 563. To relieve Rufus M. Cross of disabilities of non-age;

Mr. Cunningham, from penitentiary, without recommendation—

s. 333. To establish a training and reform school for boys.

MESSAGE FROM THE GOVERNOR.

STATE OF ALABAMA,
EXECUTIVE DEPARTMENT,
MONTGOMERY, ALA., Feb. 3, 1897.

Mr. President:

The governor has approved the following bills which

originated in the senate:
Senate No. 87 and 156.

Very respectfully,

JAMES B. SIMPSON,
Recording Secretary.

RESOLUTIONS.

Mr. Hogue offered the following resolution, which was immediately considered and adopted:

Resolved, That for to-day and to-morrow senate bills only shall be considered.

MESSAGE FROM THE HOUSE.

Mr. President:

The speaker having signed the following house bill, your signature is requested thereto:

H. 535. To provide for the more efficient assessment and collection of taxes in the State of Alabama.

MASSEY WILSON,
Clerk.

HOUSE BILLS SIGNED.

The president of the senate, in the presence of the senate, immediately after its title had been publicly read by the secretary, signed the foregoing house bill, H. 535, the title of which is set forth in the foregoing house message.

MESSAGE FROM THE HOUSE.

Mr. President:

The house has amended as therein shown, and as amended has passed the senate bill,

s. 190. To protect the resident tax payers of Sumter and Pickens counties from unjust competition.

And has passed the following senate bill:

s. 234. To declare R. N. Erwin, a liner between the counties of Hale and Perry, a citizen of Hale county.

And the house has originated and passed the following bill, and ordered the same sent to the senate forthwith without engrossment;

H. 1042. To provide for the more efficient working, keeping up, repairing, improving the public roads, and opening and making new public roads in the county of Morgan; to locate, construct and build, within the limits of said county, a system of public roads of a superior grade, to be known and designated as "county roads."

And originated and passed the following bills:

H. 406. To establish a separate school district to be known as the Summit school district in Blount county, Alabama;

H. 905. To confirm the incorporation of the Beauvoir Club, of Montgomery, Alabama, and to enlarge the powers and capacities of said club;

H. 565. To authorize the preparation and filling of a jury box for Chilton county to legalize the same and provide for drawing the juries for the courts to be held in said county;

H. 828. To vacate a part of the plat of certain lands in Jefferson county, made by the Elyton Land Company, a corporation in Jefferson county;

H. 348. To establish the Jamestown school district in Cherokee county;

H. 623. To prohibit within five miles of Brookwood, in Tuscaloosa county, the soliciting or taking of orders to be filled elsewhere of alcoholic, vinous, or malt liquors, or other intoxicating drinks or beverages, or fruits preserved in alcoholic liquors;

H. 639. (With amendment) To authorize the court of county commissioners of Henry county to pay the sheriff and clerk of the circuit court of said county for ex-officio services;

H. 1025. To establish a separate school district, to be known as the Point Clear District, in Baldwin county, Alabama;

H. 316. For the relief of William C. Roeck, clerk of the circuit court of Tallapoosa county;

H. 1006. To repeal an act entitled an act to incor-

porate the town of Midland City, in the county of Dale, approved December 3rd, 1890;

H. 752. To prevent hogs from running at large in Mobile county within seven miles of the court house of said county;

H. 882. To establish a separate school district to be known as the Mt. Pleasant school district in Colbert county, Alabama;

H. 470. To incorporate the Glen Addie Volunteer Hose Company No. 2, located in the city of Anniston, Calhoun county, Alabama;

H. 895. To regulate the trial of misdemeanors growing out of the illegal sale of spirituous, vinous or malt liquors in the county of Macon or for violation of any of the provisions of and regulating the sale of spirituous, vinous or malt liquors in said county.

MASSEY WILSON,
Clerk.

HOUSE MESSAGES.

The house bills in the foregoing house message were severally read once and referred to appropriate committees, as follows:

H. 1042 and 752, to local legislation;
H. 406, 1025 and 882, to education;
H. 905, 828, 348 and 470, corporations;
H. 565, 623, 639, judiciary;
H. 316. finance and taxation;
H. 1006. municipal and county organizations;
H. 895. temperance.

And the senate concurred in the house amendment to S. B. 190

S. 190. To protect the resident tax payers of Sumter and Pickens counties from unjust competion.

Yeas, 19; nays, 0.

Yeas:

Messrs. Brewer, Brooks, Case, Cunningham, Deans of Shelby, Grant, Hall, Hawkins, Hogue, Hollis, Lee, Matthews, Moody, Nolen, Pettus, Robinson, Smith, Thomason, Walker—19.

UNFINISHED BUSINESS.

The senate next resumed consideration of senate bill 248.

s. 284. To regulate the public school system of the State of Alabama.

Mr. Bethune offered several amendments which were adopted.

Mr. Abercrombie offered several amendments which were also adopted, and on motion of Mr. Abercrombie the further consideration of the bill was postponed until to-morrow morning immediately after the reading of the journal.

RECOMMITMENT OF BILL.

On motion of Mr. Sayre house bill No. 202,

H. 202. To provide guards for the Montgomery county jail,

Was recommitted to the committee on the penitentiary.

BILLS ON THIRD READING.

s. 277. To ratify and confirm the incorporation of the Indian Head Mills of Alabama and to confer additional powers on said corporation,

Was read a third time and passed.—yeas 26, nays 0.

Yeas:

Messrs. President, Abercrombie, Bethune, Brooks, Brown, Buchanan, Case, Cunningham, Day, Deens of Covington, Grant, Hall, Hawkins, Hogue, Hollis, Kilpatrick, Lee, Matthews, McElderry, Nolen, Pettus, Robinson, Smith, Sowell, Thomason, Walker.—26,

The bill

s. 323. To allow all ex-Confederate soldiers who are unable to make a living by manual labor to peddle in this State without license;

The substitute offerd by the committee was adopted.

Mr. Sayre offered an amendment to include sailors to the provisions of the bill which was adopted, and on

motion of Mr. Hawkins the bill was recommitted to the committee on finance and taxation;

The bill

H. 206. For the preservation of game, animals and birds in Tallapoosa county,

Was read a third time and passed.—yeas 16, nays 1.

Yeas:

Messrs. Brooks, Buchanan, Case, Grant, Hall, Hogue, Hollis, Kilpatrick, Lee, Matthews, McElderry, Pettus, Smith, Sowell, Thomason, Walker.—16.

Nays:

Mr. Robinson voted nay—1.

The bill

H. 207. To better provide for keeping up the public roads of Baldwin county,

Was read a third time and passed.—yeas 26, nays 0.

Yeas:

Messrs. Abercrombie, Bethune, Boykin, Brooks, Brown, Buchanan, Case Day, Deans of Shelby, Deens of Covington, Grant, Hall, Hawkins, Hollis, Kilpatrick, Lee, Matthews, McElderry, Moody, Nolen, Pettus, Robinson, Smith, Sowell, Thomason, Walker—26.

The bill

H. 225. To require the commissioners court of roads and revenues for the county of Coosa, to cause road overseers in said county to have loose stones removed from the roads of said county, so far as the same may be practical,

Was read a third time and passed—yeas 26, nays 0.

Yeas:

Messrs. Abercrombie, Bethune, Boykin, Brooks, Brown, Buchanan, Case, Day, Deans of Shelby, Deens of Covington, Grant, Hall, Hawkins, Hogue, Hollis, Kilpatrick, Lee, Matthews, McElderry, Moody, Nolen, Pettus, Robinson, Sowell, Thomason, Walker—26.

On motion of Mr. Brown, the senate bill

S. 3. To regulate the trial of misdemeanors in the county of Marshal,

Was laid on the table.

On motion of Mr. Robinson, the bill

S. 288. To alter and define the boundary line be-

tween Shelby and St. Clair counties, in the State of Alabama,

Was indefinitely postponed.

On motion of Mr. Kilpatrick, the bill

s. 274. To repeal section one or rule 1, of rules of the supreme court of Alabama, as published and adopted June 25th, 1896, and which rule is headed or commenced, "1. Abstract of transcript, rules in regard to."

Was laid on the table.

The bill,

H. 207. To better provide for keeping up the public roads of Baldwin county,

Was read a third time and passed—yeas 25, nays 0.

Yeas:

Messrs. Abercrombie, Bethune, Brooks, Brown, Buchanan, Case, Day, Deans of Shelby, Deens of Covington, Grant, Hall, Hawkins, Hollis, Kilpatrick, Lee, Matthews, McElderry, Moody, Nolen, Pettus, Robinson, Smith, Sowell, Thomason, Walker—25.

The bill,

s. 306. To establish a separate school district to be known as the Whatley school district of Clarke county, Alabama,

Was read a third time and passed—yeas 25, nays 0.

Yeas:

Messrs. Abercrombie, Bethune, Brooks, Brown, Buchanan, Case, Cunningham, Day, Grant, Hall, Hawkins, Hogue, Hollis, Kilpatrick, Lee, Matthews, McElderry, Moody, Nolen, Pettus, Robinson, Smith, Sowell, Thomason, Walker—25.

The bill,

s. 318. To regulate the passage of vehicles on the public roads of Montgomery county,

Was read a third time and passed—yeas 26, nays 0.

Yeas:

Messrs. President, Abercrombie, Bethune, Brooks, Brown, Buchanan, Case, Day, Deens of Covington, Grant, Hall, Hawkins, Hogue, Hollis, Kilpatrick, Lee, Matthews, McElderry, Moody, Nolen, Pettus, Robinson, Smith, Sowell, Thomason, Walker—26.

The bill,

H. 230. To prevent hunting on the lands of another without the consent of the owner or the title in fee simple, or of a life estate therein, or of his authorized agent, in the county of Greene, and in beats number 2, 3, 4, 5, 6, 7, 8, 9, 10, 15, 16 and 17, Hale county, Alabama.

Mr. Hall moved to amend by adding to the provisions of the bill the county of Jackson.

Adopted.

And the bill as amended. was read a third time and passed—yeas 23, nays 0.

Yeas:

Messrs. Abercrombie, Bethune, Brooks Brown, Buchanan, Day, Deens of Covington, Grant, Hall, Hawkins, Hogue, Hollis, Hundley, Kilpatrick, Lee, Matthews, McElderry, Nolen, Pettus, Robinson, Smith, Sowell, Thomason, Walker—23.

The bill,

s. 316. To fix the terms of office of the mayor, aldermen and other city officers of the city of Montgomery,

Was read a third time and passed—yeas 27, nays 0.

Yeas:

Messrs. President, Abercrombie, Bethune, Brewer, Brooks, Brown, Buchanan, Case, Day, Deens of Covington, Grant, Hall, Hawkins, Hogue, Hollis, Kilpatrick, Lee, Matthews, McElderry, Moody, Nolen, Pettus, Robinson, Smith,Sowell, Thomason Walker—27.

The bill,

s. 279. To incorporate the Gulf Coast Immigration and Manufacturing Company,

The amendment offered by the committee was adopted and the bill as amended,

Was read a third time and passed—yeas 25, nays 0.

Yeas:

Messrs. President, Abercrombie, Bethune, Brewer, Brooks, Brown, Buchanan, Case, Cunningham, Day, Deens of Covington, Grant, Hall, Hogue, Hollis, Kilpatrick, Lee, Matthews, McElderry, Moody, Nolen, Robinson, Smith, Sowell, Thomason—25.

The bill,

s. 293, to incorporate the South Side Reading Club of Birmingham, Alabama,

Was read a third time and passed—yeas 24, nays 0.

Yeas:

Messrs. Abercrombie, Bethune, Brewer, Brooks, Brown, Buchanan, Case, Cunningham, Day, Deens of Covington, Grant, Hogue, Hollis, Kilpatrick, Lee, Matthews, McElderry, Moody, Nolen, Robinson, Smith, Sowell, Thomason, Walker—24.

The bill,

s. 294. To confirm the incorporation of the Birmingham Medical College, a corporation organized under the general laws of this State, to declare its powers, and to confer upon it additional rights, privileges and powers,

Was read a third time and passed—yeas 22, nays 0.

Yeas:

Messrs. Abercrombie, Bethune, Brewer, Brooks, Buchanan, Case, Cunningham, Day, Hall, Hawkins, Hogue, Hollis, Kilpatrick, Lee, Matthews, McElderry, Moody, Nolen, Robinson, Smith, Sowell, Thomason —22.

The bill,

s. 326. To prevent the sale, barter or permiting to run at large, of animals known to have infectious or contagious diseases,

Was read a third time and passed—yeas 23, nays 0.

Yeas:

Messrs. Abercrombie, Bethune, Brewer, Brooks, Buchanan, Case, Cunningham, Day, Deens of Covington, Grant, Hall, Hawkins, Hogue, Hollis, Kilpatrick, Lee, Matthews, McElderry, Moody, Nolen, Robinson, Smith, Sowell, Thomason—23.

The bill

s. 301. To amend sections 2 and 20 of an act entitled an act to establish a new charter for the town of Edwardsville in Cleburne county, approved December 9th, 1896,

Was read a third time and passed.—yeas 25, nays 0.

Yeas:

Messrs. Abercrombie, Bethune, Boykin, Brewer, Brooks, Buchanan, Case, Cunningham, Day, Deans of Shelby, Deens of Covington, Grant, Hall, Hawkins, Hogue, Hollis, Kilpatrick, Lee, Matthews, McElderry,

Moody, Nolen, Robinson, Smith, Thomason—25.

The bill,

s. 272. To amend section 3624 (3933) of the Code of Alabama, adopted and approved, on 28th of February, 1887,

Was read a third time and passed.—yeas 21, nays 3.

Yeas:

Messrs. Abercrombie, Bethune, Brewer, Brooks, Brown, Buchanan, Case, Cunningham, Day, Deens of Covington, Grant, Hall, Hogue, Hollis, Kilpatrick, Matthews, Moody, Nolen, Robinson, Thomason, Walker—21.

Nays:

Messrs. President, McElderry and Pettus—3.

The bill,

s. 347. To establish a separate school district to be known as the Harmony school district in Cullman county,

Was read a third time and passed—yeas 21, nays 0.

Yeas:

Messrs. Abercrombie, Bethune, Brewer, Brooks, Brown, Buchanan, Case, Cunningham, Day, Deans of Shelby, Deens of Covington, Grant, Hogue, Hollis, Hundley, Kilpatrick, Matthews, Moody, Nolen, Robinson, Walker—21.

The bill,

s. 344. To establish a separate school district to be known as the Bethlehem school district in Cullman county,

Was read a third time and passed; yeas 19, nays 0.

Yeas:

Messrs. Abercrombie, Brewer, Brown, Buchanan, Day, Deens of Covington, Grant, Hall, Hogue, Hundley, Kilpatrick, Matthews, Moody, Nolen, Pettus, Robinson, Sowell, Thomason, Walker—19,

The bill

s. 348. To create a separate school district to be known as the Mt. Zion school district in Cullman and Winston counties, Ala,

Was read a third time and passed—yeas 19, nays 0.

Yeas:

Messrs. Abercrombie, Bethune, Brewer, Brooks, Brown, Buchanan, Case, Deens of Covington, Grant, Grant, Hogue, Kilpatrick, McElderry, Moody, Nolen, Pettus, Robinson, Sowell, Thomason—19.

RECESS.

The hour of one o'clock P. M. having arrived the senate took a recess until 3:30 P. M. this afternoon.

AFTERNOON SESSION.

The senate met pursuant to adjournment,
A quorum was present.
The senate resumed consideration of

BILLS ON THIRD READING.

The bill,

s. 350, To create a separte school district in Randolph county, to be known as the Graham school ditsrict, and to define the boundaries thereof,

Was read a third time and passed—yeas 18, nays 0.

Yeas:

Messrs. President, Abercrombie, Bethune, Buchanan, Case, Day, Deans of Shelby, Deens of Covington, Grant, Hawkins, Hogue, Hollis, Kilpatrick, Lee, McElderry, Nolen, Robinson, Thomason—18.

The bill,

s. 356. To create a separate school district in Marion county, Alabama, to be known as the Hamilton school district,

Was read a third time and passed—yeas 19, nays 0.

Yeas:

Messrs. President, Abercrombie, Bethune, Buchanan, Case, Day, Deans of Shelby, Deens of Covington, Grant, Hall, Hawkins, Hogue, Kilpatrick, Lee, Matthews, McElderry, Nolen, Robinson, Thomason—19.

The bill,

s. 359. To provide for a charter for the town of Hartford, in Geneva county, Alabama,

Was read a third time and passed—yeas 18, nays 0.

Yeas:

Messrs.President, Abercrombie, Bethune, Brown, Buchanan, Case, Day, Deans of Shelby, Deens of Covington, Grant, Hogue, Hollis, Kilpatrick, Lee, McElderry, Nolen, Robinson, Thomason—18.

The bill,

s. 324. To regulate the collection of the poll tax in the Tuscumbia school district of Colbert county,

Was read a third time and passed—yeas 19, nays 0.

Yeas:

Messrs. President, Abercrombie, Bethune, Buchanan, Cunningham, Deans of Shelby, Deens of Covington, Grant, Hawkins, Hogue, Hollis, Kilpatrick, Lee, Matthews, McElderry, Nolen, Robinson, Smith, Thomason —19.

The bill,

s. 337. To fix the time and regulate the holding of the circuit court of Madison county, Alabama,

Was read a third time and passed—yeas 21, nays 0.

Yeas:

Messrs. President, Abercrombie, Bethune, Brown, Buchanan, Cunningham, Day, Deans of Shelby, Deens of Covington, Grant, Hawkins, Hogue, Hollis, Kilpatrick, Lee, Matthews, McElderry, Nolen, Robinson, Smith, Thomason—21.

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. Matthews, from the committee on enrolled bills, reports the following bills correctly enrolled:

s. 234. To declare R. N. Ervin, a liner between the counties of Hale and Perry, a citizen of Hale county;

s. 190. To protect the resident tax payers of Sumter and Pickens counties frem unjust compensation.

SIGNING OF BILLS.

The president of the senate, in the presence of the senate, immediately after their titles had been publicly read by the secretary, signed the senate bills whose titles

are set forth in the foregoing report from the committee on enrolled bills.

LEAVE OF ABSENCE

Leave of absence was granted for to-day to Messrs. Hall, Walker and Brooks.

The bill,

s. 242. To allow appeals to the supreme court from decisions in the chancery courts of this State granting or refusing to grant rehearings of a final decree, and to provide the manner in which evidence may be introduced in support of said application,

Was read a third time and passed—yeas 16, nays 1.

Yeas:

Messrs. Abercrombie, Bethune, Deans of Shelby, Deens of Covington, Hawkins, Hogue, Hollis, Kilpatrick, Lee, Matthews, McElderry, Nolen, Pettus, Robinson, Smith, Thomason—16.

Mr. President voted nay—1.

The bill,

s. 358. To repeal an act entitled an act to regulate the payment of claims against the fine and forfeiture fund of Geneva county,

Was read a third time and passed—yeas 24, nays 0.

Yeas:

Messrs. President, Abercrombie, Bethune, Brewer, Brown, Buchanan, Case, Day, Deans of Shelby, Deens of Covington, Grant, Hawkins, Hogue, Hollis, Hundley, Kilpatrick, Lee, Matthews, McElderry, Nolen, Pettus, Robinson, Smith, Thomason—24.

The bill,

s. 205. To authorize the appointment of certain corporations to act in any representative capacity whatever.

The amendment offered by the committee was adopted.

And the bill, as amended, was read a third time and passed—yeas 19, nays 2.

Yeas:

Messrs. President, Abercrombie, Bethune, Buchanan, Case, Day, Deens of Covington, Grant, Hall, Hawkins, Hollis, Kilpatrick, Lee, Matthews, McElderry, Nolen,

Pettus Smith, Thomason—19.

Nays:

Messrs. Brown and Robinson—2.

The bill

s. 338. To regulate the practice in the circuit court of Mobile county, Alabama,

Was read a third time and passed.—yeas 21, nays 0.

Yeas:

Messrs. President, Abercrombie, Bethune, Brewer, Brown, Buchanan, Day, Deens of Covington, Grant, Hawkins, Hogue, Hollis, Kilpatrick, Lee, Matthews, McElderry, Nolen, Pettus, Robinson, Smith, Thomason —21.

s. 177. That all laws or parts of laws which authorize to require the license taxes arising from the sale of licenses in Mobile county to be paid for the public schools of said counly be repealed.

Under an adverse report from the committee on local legislation.

Was taken up.

Mr. Smith moved that the report of the committee be concurred in and on this motion Mr. Day called the ayes and nays, and the report of the committee was concurred in.

Yeas, 13; nays, 8.

Yeas:

Messrs. President, Abercrombie, Bethune, Cunningham, Grant, Hawkins, Kilpatrick, Lee, McElderry, Pettus, Smith, Sowell, Thomason—13.

Nays:

Messrs. Brewer, Brown, Day, Deens of Covington, Hollis, Hundley, Moody, Nolen, Robinson—8.

The bill,

s. 345. To regulate the terms of the grand juries in Blount and Cullman counties,

Was read a third time and passed—Yeas 19, nays 0.

Yeas:

Messrs. President, Abercrombie, Bethune, Brown, Cunningham, Deens of Covington, Grant, Hawkins, Hogue, Hollis, Kilpatrick, Lee, McElderry, Nolen, Pettus, Robinson, Smith, Sowell, Thomason—19.

The bill,

s. 352. To amend section 2844 of the code,

Was read a third time and passed—yeas 23, nays 0.

Yeas:

Messrs. President ,Abercrombie, Bethune, Brewer, Brown, Buchanan, Cunningham, Day, Deans of Shelby, Deens of Covington,Grant,Hawkins, Hogue,Hollis, Kilpatrick, Lee, McElderry, Moody, Nolen, Pettus, Smith, Sowell, Thomason—23.

The bill,

s. 319. To further regulate the business of building and loan associations,

The amendments offered by the committee were adopted.

Mr. Pettus offered an amendment, as section 11 of said bill, also to amend title by inserting after the word "business" the words "and taxation," which were adopted, and the bill, as amended,

Was read a third time and passed—yeas 18, nays 2.

Yeas:

Messrs. President, Abercrombie, Bethune, Brewer,Buchanan, Cunningham. Deens of Covington, Grant, Hawkins, Hogue,Hollis,Kilpatrick Lee,Moody, Pettus,Smith, Sowell, Thomason—18.

Nays:

Messrs. McElderry and Nolen—2.

The bill,

H. 573. To provide for repairing and furnishing the capitol and capitol grounds,

Was read a third time and passed—yeas 20, nays 0.

Yeas:

Messrs. President, Abercrombie, Brewer, Brown,Cunningham, Deens of Covington, Grant, Hawkins, Hogue, Hollis, Kilpatrick, Lee, Matthews, McElderry, Moody, Nolen, Robinson, Smith, Sowell, Thomason—20.

The bill,

s. 285. To incorporate the Alabama River Barge Line and Railroad Company,

Was read a third time and passed.—yeas 20, nays 0.

Yeas:

Messrs. President, Abercrombie, Brewer, Buchanan,

Cunningham, Day, Deens of Covington, Grant, Hawkins, Hogue, Hollis, Hundley, Kilpatrick, Matthew, McElderry, Moody, Nolen, Robinson, Sowell, Thomason—20.

The bill,

s. 363. To create a separate school district in the counties of Chambers and Tallapoosa, to be known as Mountain Springs school district and to define the boundaries thereof,

Was read a third time and passed—yeas 19, nays 0.

Yeas:

Messrs. Abercrombie, Bethune, Brewer, Buchanan, Cunningham, Day, Deens of Covington, Grant, Hawkins, Hogue, Hollis, Hundley, Kilpatrick, Matthews, McElderry, Moody, Nolen, Robinson, Thomason—19.

ADJOURNMENT.

At 5:25 o'clock the senate on motion of Mr. Deens Covington, adjourned until to-morrow morning at 10 o'clock.

THIRTY-NINTH DAY.

SENATE CHAMBER,

Thursday, February 4th, 1897.

The senate met pursuant to adjournment.

Prayer by the Rev. Mr. Anderson of the city.

Present:

Messrs. President, Abercrombie, Bethune, Boykin, Brewer, Brooks, Brown, Buchanan, Case, Cunningham, Day, Deans of Shelby, Deens of Covington, Grant, Hall, Hawkins, Hogue, Hollis, Hundley, Kilpatrick, Lee, Matthews, McElderry, Moody, Nolen, Pettus, Robinson, Smith, Sowell, Thomason, Walker—31.

READING OF THE JOURNAL.

On motion of Mr. Robinson the reading of the journal was dispensed with, and same was approved.

INTRODUCTION OF BILLS.

On a call of the districts, bills were introduced, read and referred to appropriate committees, as follows:

By Mr. Cunningham—

s. 428. To repeal the charter of the town of Irondale, in the county of Jefferson,

Municipal and county organizations;

Also,

s. 429. To incorporate the Southwestern Life and Trust Company, and defining its business and powers,

Corporations;

By Mr. Buchanan—

s. 430. To fix the rates of passenger fares on the incorporated railroads of Alabama,

Commeace and common carriers;

By Mr. Sayre—

s. 431. To authorize the Adams Street Baptist Church of Montgomery, Alabama, to borrow the sum of fifteen hundred dollars, and to secure the payment of the same by a mortgage upon the real estate belonging to the said church,

Judiciary;

By Mr. Cunningham—

s. 432. Too create a board of police commissioners for the city of Birmingham; to provide for their election by the mayor and aldermen of Birmingham, and to prescribe the powers and duties of the same, and to better regulate the police department of said city,

Judiciary.

REPORTS OF COMMITTEES.

Bills were reported from committees and read a second time, as follows:

Mr. Brewer, from finance and taxation, with amend-

ment, favorably—

H. 189. To allow soldiers and sailors of the Confederate States of America, who have been residents of this State for five years next before the passage of this act, to peddle in produce and merchandise in each and every county of this State, except in incorporated villages, towns and cities, without payment of the stipulated license, and providing the manner of obtaining such license;

Also, with amendment,

s. 408. To authorize the board of the mayor and council of the city of Calera to issue bonds of said city for an amount not exceeding ten thousand ($10,000.00) dollars for the purpose of building and furnishing public school buildings in the said city;

Also, favorably,

s. 407. To authorize and empower the commissioners court of Shelby county to borrow money in the name and for the use of the county, and to bind the county for the payment of the same not exceeding in amount five thousand dollars;

Also,

H. 735. For the relief of A. A. Coleman;

Also,

H. 490. To appropriate money to reimburse certain insurance companies for amounts illegally paid, by them, into the State treasury, under an act approved February 18th, 1893, entitled an act to require all corporations to pay a fee or license, for the use of the State, before commencing business in this State;

Mr. Hogue, from local legislation, favorably—

H. 871. To amend an act to declare certain lands in Greene county, in this State, now belonging to T. W. Cobb, Mary Cobb, Mary E. Walker and Amenia J. Upchurch, a district in which stock shall be prevented from running at large, and to provide that the provisions of an act entitled an act to authorize the commissioners court of Greene county to establish district in which stock may be prevented from running at large, approved February 17th, 1885, shall be applicable to said district, approved February 18, 1891;

Also,

H. 665. To authorize J. W. White to establish a ferry across the Tennessee river;

Also,

H. 601. To establish a system for working roads in Crenshaw county, and to authorize the commissioners court of Crenshaw county to levy and collect a tax for working the public roads of said county, and to let out said roads by contract;

Also,

H. 401. To amend sections 3 and 4 of an act entitled an act to prevent stock from running at large in the several beats of Randolph and Calhoun counties, and authorize elections thereon;

Also,

H. 353. To amend section one of an act entitled an act for the preservation of game in Conecuh county, approved Dec. 11, 1894;

Mr. Hawkins, from agriculture, favorably, with substitute—

S. 302. To provide for the dispursements of the monies derived from the Agricultural Department, and paid into the State treasury by the commissioner of agriculture, and the manner in which and the parties to whom said disbursements shall be made;

Mr. Moody, from temperance, favorably—

H. 724. To provide for and regulate the sale of liquors and other intoxicating drinks in Geneva county, of Alabama;

Mr. Moody, from education, favorably—

H. 850. To amend section one (1) of an act entitled an act to establish three separate school districts in Cullman county, to be known as the Jones Chapel school district, the County Line school district and the Good Hope school district, in Cullman county, Alabama, and to provide for the election of a board of trustees for each of said school district, with certain duties and powers, approved February 18th, 1891;

Also,

S. 403. To create a separate school district in Etowah and Calhoun counties, to be known as the Coosa Valley

school district;

Also,

s. 405. To establish a separate school district in Geneva county, Alabama, to be known as the Dundee school district;

Also, with amendment,

H. 789. To establish a separate school district, known as the Jackson school district, in Clarke county, Alabama;

Also, favorably,

H. 406. To establish a separate school district to be known as the Summit school district in Blount county, Alabama;

Also,

H. 550. To establish the Bremen school district in Cullman county, Alabama;

Also,

H. 882. To establish a separate school district to be known as the Mt. Pleasant school district, in Colbert county, Alabama;

Also,

H. 710. To establish a separate school district in Barbour county, to be known as the Clio school district;

Also,

H. 1025. To establish a separate school district to be known as the Point Clear district, in Baldwin county, Alabama;

Also, with amendment

H. 746. To incorporate and exempt from taxation the property of the North Alabama Baptist Academy, located at the town of Courtland, in Lawrence county;

Mr. Pettus, from judiciary, favorably—

H. 957. To amend an act to establish a board of revenue for Barbour county, approved February 18th, 1895.

RECOMMITMENT OF BILLS.

Mr. Hogue, from the committee on local legislation, returned house bills

H. 711. To establish a separate school district in Barbour county, Alabama, to be known as the Louisville

and Mt. Zion school district;

Also,

H. 610. To establish a separate school district in Franklin county, Alabama, to be known as the Belgreen school district, and to fix the boundaries of same;

And moved that same be referred to the committee on education.

Carried.

MESSAGE FROM THE HOUSE.

Mr. President:

The speaker having signed the following house bills, your signature is requested to the same:

H. 206. For the preservation of game, animals and birds in Tallapoosa county;

H. 207. To better provide for keeping up the public roads of Baldwin county;

H. 225. To require the commissioners court of roads and revenues for the county of Coosa to cause road overseers in said county to have loose stones removed from the roads of said county, so far as the same may be practicable;

H. 573. To provide for repairing and furnishing the capito' and capitol grounds.

MASSEY WILSON,
Clerk.

SIGNING OF HOUSE BILLS.

The president of the senate, in the presence of the senate, immediately after their titles had been publicly read by the secretary, signed the foregoing house bills, the titles of which are set forth in the foregoing house message.

SPECIAL ORDER.

Mr. Abercrombie moved that senate bill

s. 284. To regulate the public school system of Ala-

bama,

Be made a continuing special order at 3:30 o'clock this afternoon.

Carried.

H. 393. To regulate the payment of the wages of employees engaged in mining and manufacturing in the counties of Jefferson, Walker, Blount and Bibb, Dale, Geneva, Chilton, St. Clair, Franklin, Escambia, Shelby and Cleburne.

Mr. Cunningham offered several amendments, which were adopted.

Mr. Matthews offered an amendment to strike out the counties of Franklin, Escambia and Shelby.

Mr. Hogue offered an amendment to exclude from the provisions of the bill the counties of Bibb and Walker.

Mr. Cunningham moved to lay the amendment of Mr. Hogue on the table.

Which motion was lost—yeas 8, nays 17.

Yeas:

Messrs. President, Brown, Case, Cunningham, Hundley, Robinson, Thomason, Walker—8.

Nays:

Messrs. Bethune, Buchanan, Day, Deans of Shelby, Deens of Covington, Grant, Hall, Hogue, Hollis, Kilpatrick, Lee, Matthews, Moody, Nolen, Pettus, Smith, Sowell—17.

On motion of Mr. McElderry, the bill and amendments were indefinitely postponed.

Yeas 21, nays 7.

Yeas:

Messrs. President, Bethune, Buchanan, Day, Deans of Shelby, Deens of Covington, Grant, Hall, Hawkins, Hogue, Hollis, Hundley, Kilpatrick, Lee, Matthews, McElderry, Moody, Nolen, Pettus, Sowell, Walker—21.

Nays:

Messrs, Abercrombie, Brown, Case, Cunningham, Robinson, Smith, Thomason—7.

RECESS.

At 1:15 o'clock the senate took a recess until 3;30 o'clock P. M.

AFTERNOON SESSION.

The senate met pursuant to adjournment and was called to order by the president.

A quorum was present.

INTRODUCTION OF BILL.

By leave, a bill was introduced by Mr. Cunningham, (by request).

s. 432. To create a Board of Police Commissioners for the city of Birmingham, to provide for their election by the mayor and aldermen, of Birmingham, and to prescribe the powers and duties of the same, and to better regulate the police department of said city,

Which was read the first time and referred to the judiciary committee.

MESSAGE FROM THE HOUSE.

Mr. President:

The house has passed,

s. 110. To prohibit book making or pool selling on horse races and other forms of gambling.

And has originated and passed,

H. 365. To establish the convict and prison bureau; to provide for the administration of the business of such bureau, and the inspection of prisons and jails.

And has ordered the same sent forthwith to the senate without engrossment,

And has non-concurred in the senate amendment to the house bill,

H. 230. To prevent hunting on the lands of another without the written consent of the owner of the title in fee simple or of a life state therein or of his authorized agent, in the county of Greene, and in beats 2, 3, 4, 5, 6, 7, 8, 9, 10, 15, 16, and 17 of Hale county,

And a conference committee asked. Committee on part of the house: Messrs. Tunstall, Bouldin, and Cameron.

MASSEY WILSON,
Clerk.

HOUSE MESSAGES.

The senate insisted on its amendment to the house bill H. 230, the title of which is set forth in the foregoing message, and acceded to the request of the house for a committee of conference thereon.

The president appointed as conferees on the part of the senate: Messrs. Hall, Hogue and Robinson.

The house bill H. 365, the title of which is set out in the foregoing house message, was read the first time and referred to the committee on penitentiary.

REPORT ON ENROLLED BILLS.

Mr. Matthews from the committee on enrolled bills report as correctly enrolled the following bills:

s. 351. To prohibit the sale, giving away, or otherwise disposing of spirituous, vinous or malt liquors, or intoxicating cider, bitters, or beverages, or fruits preserved in alcoholic liquors, within the radius of three miles of Indian creek Baptist church, in precinct No. 5 in Bullock county, Alabama;

s. 262. To provide for the relief of T. L. Boswell, by compensating him out of the county treasury of Talladega county, for the registration of electors in said county during the time the said T. L. Boswell has been county registrar of said county, and to provide for the compensation of county registrars, of electors in said Talladega county, in the future;

s. 179. To establish the Lineville school district in Clay county.

SENATE BILLS SIGNED.

The president of the senate, in the presence of the senate, immediately after their titles had been publicly read by the secretary, signed the foregoing bills, the titles of which are set forth in the foregoing report on enrolled bills.

MESSAGE FROM THE HOUSE.

Mr. President:

The house has passed the following senate bills:

s. 243. To incorporate the Mobile Light and Railroad Company,

And has amended as therein shown, and as amended, has passed,

s. 118. To amend section one of an act approved February 22, 1887, entitled an act to amend section one of an act entitled an act for the protection and preservation of same animals and birds in Perry county, approved February 7th, 1885,

And has passed,

s. 179. To establish the Lineville school district in Clay county:

s. 262. To provide for the relief of T. L. Boswell, by compensating him out of the county treasury of Talladega county, for the registration of electors in said county during the time the said T. L. Boswell has been county regirtrar of said county, and to provide for the compensation of county registrars of electors in said Talladega county, in the future.

And has amended as therein shown, and as amended has passed

s. 265. To amend sections seventeen (17) and twenty-five (25) of an act approved February 18th, 1895, entitled an act to establish a new charter for the city of Anniston and to prescribe in what the fines, taxes, licenses, dues and charges due to and collectable by the city of Anniston shall be paid.

And has passed

s. 351, To prohibit the sale, giving away or disposing of spirituous, vinous or malt liquors or intoxicating ciders, bitters or beverages or fruits preserved in alcoholic liquors within the radius of three miles of Indian Creek Baptist church, in precinct No. 5, in Bullock county, Alabama;

s. 268. To authorize the commissioners court of Randolph county to select and provide a suitable building at Wedowee, in said county, for the holding of the va-

rious courts of said county until a court house shall have been built for said county, and to designate said building.

And has originated and passed the following bills:

H. 166. To provide for the payment into the fine and forfeiture fund of Jefferson county of all solicitor's fees now forming a part of the general fund of said county, after the payment of an appropriation of three thousand dollars per annum to assist the solicitor of Jefferson county in suppressing crime, as provided in an act approved February 18th, 1891;

H. 254. For the relief of Mrs. Alice B. Patton, of Sumter county;

H. 354. To establish a separate school district in township 11, range 18, Crenshaw county, Alabama, to be known as the Bradleytown school district;

H. 569. To declare void certain sales of real estate in Madison county for delinquent taxes for the year 1895, and to require the tax assessor to assess such real estate as required by law;

H. 617. To amend section one (1) of an act entitled an act to create a separate school district in Cullman county, Alabama, and to define the boundaries of the same, approved February 28, 1887;

H. 688. For the relief of Peter Weir, J. B. Benton and R. M. Long, of Pickens county;

H. 745. For the relief of John C. Vines, and to authorize the governor to relinquish to the United States the S. E. $\frac{1}{4}$ of S. W. $\frac{1}{4}$ of sec. 7, township 17, S. R. 6 W., in Jefferson county, Alabama;

H. 720. To prevent persons in Selma from being convicted twice for the same offense;

H. 767. To repeal an act entitled an act to provide for the appointment of an official stenographer for the circuit and chancery courts in the county of Mobile and the city court of the city of Mobile, and to define his duties and regulate his compensation, approved February 12, 1879, and the act amending said act, approved January 25, 1895;

H. 769. To establish a separate school district in Barbour county, to be known as the Lodi school district;

H. 843. To amend an act entitled an act to establish

a separate school district to be known as Reynolds school district, in Henry county;

H. 888. To provide for the payment of witnesses summoned before the grand jury of Franklin county, Alabama, and to fix their compensation;

H. 900. To make the third week of the circuit court of St. Clair county a non-jury week; to arrange the business of the court for such week, and to limit the sittings of the grand jury of said county;

H. 941. To amend an act to incorporate the town of Chulafinnee, in the county of Cleburne;

H. 1028. For the relief of Joe Lambert, as tax collector for Wilcox county, Alabama;

H. 887. To authorize the levy and collection of a tax upon property within the city of Gadsden, Alabama, or that may be lawfully taxable therein for the maintenance of the public schools of said city;

H. 726. To make appropriations for additional compensation for the clerk in the office of the secretary of State and for the clerks in the State auditor's office, and for additional clerical assistance therein;

H. 844. To exempt from taxation the Wallace school fund held in trust by the township trustees in township seven, range nine, Lawrence county, Alabama, for the benefit of the public schools of said township;

H. 646. To change the name of the Barber Memorial Industrial Institute to the Barber Memorial Seminary, and to amend the charter of said corporation;

H. 1079. To authorize and empower the board of county commissioners of Tuscaloosa county to pay certain outstanding witness certificates;

H. 1080. For the improvement of public roads in Barbour county;

H. 405. To incorporate the town of West Blocton, Alabama;

H. 368. To provide for the better support and maintenance of the public schools of Walker county, Alabama;

H. 549. To amend section 34 of an act entitled "an act to create a new charter for the city of Florence, Alabama, approved February 28, 1889, and to authorize the city of Florence to issue bonds to purchase water works,

and also to give a mortgage on said water works;

H. 951. For the more efficient government of the district of Opelika by decreasing the number of commissioners from seven to five, one of whom to be elected as recorder, and authorizing the election of clerk and chief of police and other subordinate officers by said board;

H. 1029. To amend section 2 of an act approved Feb. 18, 1895, page 789, relating to Pleasant Grove school district, in Jackson county.

MASSEY WILSON,
Clerk.

HOUSE MESSAGES.

The house bills in the foregoing house message were severally read once and referred to appropriate committees as follows:

H. 166, to penitentiary;

H. 254, 720, 767, 888, 900, judiciary;

H. 354, 617, 769, 843, 368 and 1029, to education;

H. 569, 688, 745, 1023, 1079, to finance and taxation;

H. 941, 405, 549, 951, to municipal and county organizations;

H. 1080, 646, to agriculture;

H. 887, 726, 844, to finance and taxation.

And the senate coucurred in house amendments to senate bill 118.

S. 118. To amend section one of an act approved February 22d, 1887, entitled an act to amend section one of an act entitled an act for the protection and preservation of game, animals and birds in Perry county, approved February 7th, 1895.

Yeas 22, nays 0.

Yeas:

Messrs. President, Abercrombie, Bethune, Brewer, Brooks, Buchanan, Case, Deans of Shelby, Deens of Covington, Grant, Hawkins, Hogue. Hollis, Kilpatrick, Lee, Matthews, McElderry, Robinson, Smith, Sowell, Thomason, Walker—22.

And the senate also concurred in the house amendment to the senate bill

S. 265. To amend sections seventeen (17) and twen-

ty-five (25) of an act approved February 18, 1895, entitled "an act to establish a new charter for the city of Anniston," and to prescribe in what the fines, taxes, licenses, dues and charges, due to and collectable by the city of Anniston, shall be paid.

Yeas 25, nays 0.

Yeas:

Messrs. President, Abercrombie, Bethune, Brewer, Brooks, Buchanan, Case, Day, Deans of Shelby, Deens of Covington, Grant, Hawkins, Hogue, Hollis, Hundley, Kilpatrick, Lee, Matthews, McElderry, Nolen, Robinson, Smith, Sowell, Thomason, Walker—25.

MOTION TO RECONSIDER VOTE.

The motion made by Mr. Brewer this morning to reconsider the vote on the passage of the bill,

s. 319. To further regulate the business and taxation of building and loan associations,

And which motion was made a special order for this hour,

Was taken up and considered.

Mr. Bethune moved to lay the motion to reconsider on the table.

Lost—yeas 10, nays 14.

Yeas:

Messrs. President, Abercrombie, Bethune, Cunningham, Hall, Hundley, Kilpatrick, Pettus, Smith, Sowell—10.

Nays:

Messrs. Brewer, Brooks, Brown, Buchanan, Day, Grant, Hawkins, Hogue, Hollis, Lee, Matthews, Robinson, Thomason, Walker—14.

On motion of Mr. Pettus, the further consideration of the motion to reconsider was indefinitely postponed.

Yeas 19, nays 7.

Yeas:

Messrs. President, Abercrombie, Bethune, Brooks, Buchanan, Cunningham, Day, Deans of Shelby, Deens of Covington, Grant, Hall, Hogue, Hollis, Hundley, Kilpatrick, Moody, Pettus, Smith, Sowell—19.

Nays:

Messrs. Brewer, Brown, Hawkins, Nolen, Robinson, Thomason, Walker—7.

ADJOURNMENT.

At 6:18 o'clock p. m., on motion of Mr. Hogue, the senate adjourned until to-morrow morning at 10 o'clock.

FORTHIETH DAY.

Friday February 5th, 1897.

The senate met pursuant to adjournment.

Prayer by the Rev. Mr. Anderson of the city.

Present:

Messrs. President, Abercrombie, Bethune, Boykin, Brewer, Brooks, Brown, Buchanan, Cunningham, Day, Deans of Shelby, Deens of Covington, Grant, Hall, Hawkins, Hogue, Hollis, Hundley, Kilpatrick, Lee, Matthews, McElderry, Moody, Nolen, Pettus, Robinson, Smith, Sowell, Thomason, Walker—30.

READING OF THE JOURNAL.

On motion of Mr. Robinson, the reading of the journal of yesterday was dispensed with and it was approved.

LEAVE OF ABSENCE.

Leave of absence was granted to Messrs. Case and Walker for to-day.

INTRODUCTION OF BILLS.

On the call of the districts, bills were introduced, read and referred to appropriate committees, as follows:

By Mr. Sowell, (with notice)—

s. 433. To relieve Martha Leslie Davis from the dis-

abilities of non-age,

Judiciary;

Also, (with notice)

s. 434. To relieve Gertrude Davis of Limestone county, from the disabilities of non-age,

Judiciary;

By Mr. Deans of Shelby—

s. 435. To amend sub-division and paragraph 5th of section twenty-six of an act entitled an act to establish a new charter for the city of Calera, approved February, 21st, 1893,

Temperance;

Also,

s. 436. To amend an act entitled an act to regulate the trial of misdemeanors in Shelby county approved Decembe 9th, 1896,

Judiciary;

By Mr. Matthews—

s. 437. To create a separate school district in the county of Franklin, to be known and called the Burleson public school district, and to define the boundaris thereof,

Education;

By Mr. Moody—

s. 438. To confer additional powers on the trustees of the Alabama Central Female College, located at Tuskaloosa, Alabama,

Education;

By Mr. Sayre—

s. 439. To confer upon persons, firms, and private and municipal corporations, owing, constructing and operating water works in this State for the purpose of supplying water to any city town, municipality or commnuity, or the inhabitants thereof, or for any other public use, the right, power and authority to acquire and take real estate, water rights and easements necessary suitable and proper for such purposes, and prescribing the manner of proceeding in the exercise thereof,

Judiciary;

Also,

s. 440. To confer upon corporations supplying water to cities, towns or villages, the right to try and acquire or condemn real estate, the acquisition of which may be

necessary to prevent the pollution of their water supply,

Judiciary;

Also,

s. 441. To punish any person who pollutes or contaminates water supplied to cities and towns of the State,

By Mr. Hawkins—

s. 442. To authorize the board of intendant and councilmen of the town of Abbeville, Henry county, to issue and negotiate bonds of said town, to an amount not exceeding four thousand dollars for the completion and equiping of the south-east Alabama agricultural school building now being erected in said town, and to provide for the interest and principal of said bonds,

Agriculture;

By Mr. Brown (by request)—

s. 443. To amend section eight of an act entitled an act to provide a system of water works for the city of Cullman, to issue bonds for said purpose; and to create board of water works commissioners, to manage maintain control the said water works,

Municipal and county organizations;

Also,

s. 444. To regulate the compensation of the solicitors of circuit, city, criminal and other courts of record in this State,

Judiciary;

Also,

s, 445. To establish a separate school district, to be known as the Union School District, in Blount county, Alabama,

Education;

By Mr. Cunningham—

s. 446. To incorporate the Peoples Mutual Fire Insurance company,

Corporations;

By Mr. Pettus—

s. 447. To provide for the removal of suit of unlawful detainer and forcible entry and detainer from the courts of justice of the peace and other officers to the circuit court, and to prescribe rules of practice and evi-

dence in such cases in circuit court,
Judiciary.

RESOLUTION.

Mr. Buchanan offered the following joint resolution, which was referred to the committee on rules:

JOINT RESOLUTION.

WHEREAS, the people of the United States, and the civilized world at large, to-day stands aghast at the reported cruelties practiced by the armies of Spain in their efforts to suppress and conquer a heroic people struggling for self government in the Island of Cuba:

WHEREAS, such outrages and cruelties are against all rules and practices of civilized warfare and to principles being fought for by the Cuban Patriots are those that are nearest to the hearts of all liberty loving Americans:

AND WHEREAS, as many American citizens have and now are suffering these cruelties and loss of life and property, and our commerce is being impaired and damaged by this unholy warfare:

Therefore, Be it resolved by the the senate, and the house concurring, of the State of Alabama, assembled, That our senators and represetatives in congress be, and are hereby requested to use all their influence in congress to bring about a cessation of this cruel warfare which is now being waged against the helpless and defensless woman and children of the Island of Cuba, and to either acknowledge the full independence of Cuba or at least to acknowledge them as beligerents.

REPORTS OF COMMITTEES.

Bills were reported from committees and read a second time as follows:

Mr. Pettus from judiciary. favorably—

H. 761. To regulate the trial of misdemeanors in the county of Tallapoosa;

Mr. Hogue from local legislation, favorably—

S. 416. To amend section 4 of an act entitled an act to establish a board of revenue for Barbour county, approved February 18th, 1895;

Also,

H. 1042. To provide for the more efficient working, keeping up, repairing and improving the public roads, and opening and making new public roads in the county of Morgan; to locate, construct and build, within the limits of said county, a system of public roads of a superior grade, to be known and designated as county roads;

Also,

H. 921. To amend section 1 of an act to establish a new charter for the city of Montgomery, approved December 9th, 1896;

Also,

H. 752. To prevent hogs from running at large in Mobile county within seven miles of the court house of said county;

Also,

H. 810. For the preservation of game, animals and birds in beat No. 17, in Hale county;

Also,

H. 482. To repeal section two of an act approved February 14th, 1893, entitled an act to amend sections one and twenty of an act entitled an act to regulate the taking of oysters from the public reefs in the State for sale or planting. approved December 10th, 1892, and to repeal an act entitled an act to regulate the planting and taking of oysters in the waters of this State, approved February 18th, 1891;

Also,

H. 481. To repeal an act approved December 14, 1894, entitled an act to amend section two of an act entitled an act to amend sections one and twelve of an act entitled an act to regulate the taking of oysters from the public reefs in the State, for sale or planting, approved December 10, 1892, and to repeal an act to regulate the planting and taking of oysters in the waters of this State, approved February 18, 1891, which act was approved February 14th, 1893;

Also,

H. 479. To repeal an act approved February 18th, 1895, entitled an act to amend section one of an act entitled an act to amend section two of an act entitled an act to amend sections one and twelve of an act entitled an act to regulate the taking of oysters from the public reefs in this State; for sale, or planting, approved December 10th, 1892, and to repeal an act entitled an act to regulate the planting and taking of oysters in the waters of this State, approved February 18th, 1891, which act hereby amended was approved December 14th, 1894, and to repeal sections ten and thirteen of an act entitled an act to regulate the taking of oysters from the public reefs in this State for sale or planting, approved December 10th, 1892;

Also,

H. 480. To repeal sections 6, 7, 8, 11, 12, 13, 14, 15, 16, 19, 20, 23 and 24 of an act entitled "an act to regulate the taking of oysters from the public reefs in this State for sale or planting, approved December 10th, 1892;"

Also,

H. 696. To repeal an act entitled an act to establish the Sylvan agricultural district; to authorize the erection of an outside fence and to dispense with inside fences, and to levy taxes to erect said fences, and to defray all the current expenses of said district;

Also,

H. 883. To regulate the collection of the poll tax in the Tuscumbia school district in Colbert county;

Also,

H. 832. To amend section 1 of an act for the protection of land and property against the depredations of live stock in portions of precincts number one, two, three, four, five and six in Autauga county;

Also,

H. 503. To regulate the payment of claims against the fine and forfeiture fund of Morgan county, Alabama;

Mr. Boykin from commerce and common carriers, favorably—

H. 223. To amend sections 1, 2, 5, 8, 11 and 14 of an act entitled an act to ratify and confirm the organization of the Tredegar Mineral Railroad and to confirm and

amend the charter thereof, approved February 21st, 1893;

Mr. Hawkins from Agriculture, favorably—

s. 417. To amend an act approved February 12, 1879, entitled "an act to establish" "The Warrior Agricultural District," to provide for the securing of the same, and the management of its affairs;

Also,

H. 750. To authorize and empower the board of control of the North East Alabama agricultural station and agricultural school at Albertvillle, Alabama, to sell certain lands deeded to the State of Alabama, for the benefit of said school;

Also, with amendments,

H. 878. To establish a branch agricultural experiment station and an agricultural school for the colored race, to be located at Tuskegee, Macon county, Alabama, and to be run in connection with the Tuskegee Normal and Industrial Institute;

Mr. Kilpatrick from municipal and county organizations, favorably—

s. 421. To amend the charter of the city of Birmingham, so as to change and establish the time for holding elections for mayor and aldermen of said city, to alter, define and fix the term of office of the present mayor and aldermen of such city, and the mayor and aldermen hereafter to be elected; and to provide for the drawing of lots to determine which of the present aldermen of said city, shall hold for the short term and the long term respectively;

Also,

s. 420. To prescribe the manner of filling vacancies in the office of mayor or aldermen of the city of Birmingham;

Also, with amendments,

H. 228. To regulate, fix and prescribe the ex-officio compensation of the sheriff of Elmore county;

Mr. Moody, from temperance, favorably, with amendments—

H. 598. To prohibit the sale or giving away of alcoholic, spirituous, vinous or malt liquors within three miles of the Methodist church, Methodist Episcopal

Also,

S. 429. To incorporate the Southwestern Life and Trust Company, and defining its business and powers;

Also,

H. 828. To vacate a part of the plat of certain lands in Jefferson county, made by the Elyton Land Company, a corporation in Jefferson county;

Also,

H. 470. To incorporate the Glen Addie Volunteer Hose Company No. 2, located in the city of Anniston, Calhoun county, Alabama;

Also,

H. 348. To establish the Jamestown school district in Cherokee county;

Also,

H. 664. To incorporate the board of lady managers of the Hillman Hospital, in Birmingham, Alabama, to be known as the board of lady managers of the Hillman Hospital;

Also,

H. 248. To amend the charter of the Sloss Iron and Steel Company, a body corporate;

Also,

H. 816. To confirm the organization and incorporation of the Birmingham, Powderly and Bessemer Railway Company, and to confer on it additional powers;

Mr. Pettus, from judiciary, favorably—

H. 565. To authorize the preparation and filling of a jury box for Chilton county, to legalize the same, and provide for drawing the juries for the courts to be held in said county;

Also,

S. 423. To relieve Lou Ellen Callaway and Mary Edna Callaway of the disabilities of non-age;

Mr. Hawkins, from agriculture, favorably—

H. 1080. For the improvement of the public roads in Barbour county;

Mr. Moody, from temperance, adversely—

H. 619. To repeal all laws and parts of laws prohibiting the sale, giving away or otherwise disposing of vinous, spirituous or malt liquors or intoxicating bitters or beverages in Guntersville beat, in Marshall county,

Also,

s. 429. To incorporate the Southwestern Life and Trust Company, and defining its business and powers;

Also,

H. 828. To vacate a part of the plat of certain lands in Jefferson county, made by the Elyton Land Company, a corporation in Jefferson county;

Also,

H. 470. To incorporate the Glen Addie Volunteer Hose Company No. 2, located in the city of Anniston, Calhoun county, Alabama;

Also,

H. 348. To establish the Jamestown school district in Cherokee county;

Also,

H. 664. To incorporate the board of lady managers of the Hillman Hospital, in Birmingham, Alabama, to be known as the board of lady managers of the Hillman Hospital;

Also,

H. 248. To amend the charter of the Sloss Iron and Steel Company, a body corporate;

Also,

H. 816. To confirm the organization and incorporation of the Birmingham, Powderly and Bessemer Railway Company, and to confer on it additional powers;

Mr. Pettus, from judiciary, favorably—

H. 565. To authorize the preparation and filling of a jury box for Chilton county, to legalize the same, and provide for drawing the juries for the courts to be held in said county;

Also,

s. 423. To relieve Lou Ellen Callaway and Mary Edna Callaway of the disabilities of non-age;

Mr. Hawkins, from agriculture, favorably—

H. 1080. For the improvement of the public roads in Barbour county;

Mr. Moody, from temperance, adversely—

H. 619. To repeal all laws and parts of laws prohibiting the sale, giving away or otherwise disposing of vinous, spirituous or malt liquors or intoxicating bitters or beverages in Guntersville beat, in Marshall county,

Alabama, and to regulate the sale thereof in said beat;

Mr. Kilpatrick, from municipal and county organizations, favorably, with amendments—

H. 405. To incorporate the town of West Blocton, Alabama;

Mr. Pettus, from judiciary, favorably, with substiute—

H. 347. To establish a criminal court for the county of Cherokee, with criminal jurisdiction in misdemeanor cases and to provide for the appointment of a judge and solicitor for such court;

Also, favorably,

H. 851. To make the offices of town clerks and marshal of New Decatur, Alabama, elective and to provide the time and manner of their election.

MESSAGE FROM THE HOUSE.

Mr. President:

The speaker having signed the following house bill, your signature is requested to the same.

H. 826. To provide a charter for the city of Mobile.

MASSEY WILSON,
Clerk.

SIGNING HOUSE BILL.

The president of the senate, in the presence of the senate, immediately after its title had been publicly read by the secretary, signed the house bill, H. 826, the titles of which is set out in the foregoing house message.

MESSAGE FROM THE HOUSE.

Mr. President:

The house has passed the following senate bills:

S. 269. To authorize the Tallassee Falls Manufacturing Company to discontinue a ferry across the Tallapoosa river near Tallassee, Elmore county, Alabama;

S. 175. To preserve the fields and forests of Sumter county against fires;

S. 286. To create a separate school district in Limestone county, Alabama, to be known as the Athens school district;

And has originated and passed the following bills:

H. 259. For the relief of J. R. Herring of the town of Louisville, county of Barbour, State of Alabama;

H. 404. To better provide for the establishment and working of the public roads in Lauderdale county, Alabama;

H. 414. To amend an act entitled an act to establish a new charter for the town of Attalla, approved February 28th, 1889;

H. 431. Prohibiting the sale or giving away of any spirituous, vinous or malt liquors within five miles of any school house or church of any denomination in Cherokee county;

H. 433. For the relief of Wm. Deas, of Clarke county, Alabama;

H. 464. To prohibit the sale, giving away, delivering or otherwise disposing of any spirituous, vinous or malt liquors, or intoxicating bitters, beverages or drinks within the limits of Chilton county, Alabama;

H. 491. For the relief of J. C. Lanford, Elizabeth Hunt, Mattie Mooney and Narcissa Durbin, of Chilton county, widows of confederate veterans who failed to make application under an act entitled an act for the relief of needy confederate soldiers and sailors, residents of Alabama, who from wounds or other causes are now unable to earn a livelihood, and for the widows of such as were killed or died in said war, and have not since remarried, approved February 13th, 1891;

H. 497. To create a separate school district in portions of Cullman and Marshall counties;

H. 570. For the relief of A. J. Eslinger, late tax collector of Madison county;

H. 636. (With amendment) To regulate the ex-officio fees of the sheriff of Autauga, Bibb and Pickens counties;

H. 668. To amend an act entitled an act to incorporate the Bailey Springs University for the higher education of women, approved Dec. 13th, 1894;

H. 747. For the improvement of the public roads in Macon county;

H. 763. To confer certain powers on the board of control of the Jackson Agricultural College and their successors;

H. 757. To incorporate the town of Wilsonville, in the county of Shelby;

H. 827. To authorize the closing and occupancy of a part of Bibb street as the same is designated and laid off according to the plat of the East Birmingham Land Company or its successor in Jefferson county;

H. 887. For the relief of W. H. Edwards and Tony Horn of Choctaw county;

H. 841. To amend an act entitled an act to amend an act to establish the city court of Gadsden, approved February 18, 1891, by amending certain sections thereof approved Desember 14, 1894, by amending section three (3) of said amending act;

H. 829. To create the Mount Zion school district in Morgan and Lawrence counties;

H. 865. To prescribe and define a three wire lawful fence for precinct number eleven (11), in Morgan county, Alabama;

H. 923. To establish a charter for the town of Banks, Alabama;

H. 993. To amend section 15 of an act entitled an act, to establish a charter for the city of Columbiana, in Shelby county, Alabama, approved February 18, 1895;

H. 999. To establish, open, improve, work and keep in good condition the public roads in Autauga county, Alabama;

H. 1010. To protect certain birds in Jefferson county;

H. 1045. To provide for the filling and emptying the jury box or boxes of Tuscaloosa county, and for drawing and summoning grand and petit jurors for Tuscaloosa county in certain cases;

H. 1002. To authorize the commissioner's court of Blount county to levy a tax for working the public roads of said county, aud to let out said roads by contract;

H. 1081. To provide for the holding of elections in the several beats of Baldwin county, Alabama, to determine

whether alcoholic, vinous or malt liquors shall be sold in said beats;

H. 369. To provide the ways and means to improve work and keep in good condition the public roads in Wilcox county.

MASSEY WILSON,
Clerk.

HOUSE MESSAGES.

The house bills in the foregoing house message were severally read once and referred to appropriate committees, as follows:

H. 841, 1045, 636, 827, to judiciary:

H. 829, 497, 668, to education;

H. 865, 999, 1002, 404, 747, 1010, to local legislation;

H. 923, 993, 369, 414, 757, to municipal and county organizations;

H. 1081, to privileges and elections;

H. 259, 433, 491, 570, 887, to finance and taxation:

H. 431, 464, to temperance;

H. 763, to agriculture.

REPORT FROM CONFERENCE COMMITTEE.

Mr. Hall from a conference committee, submitted the following report:

Mr. President:

The conference committee on the disagreement of the two houses to senate amendment to the house bill:

H. 230. To prevent hunting on the lands of another without the consent of the owners of the title in fee simple or of a life estate therein or of his authorized agent in the county of Greene and in beats number 2, 3, 4, 5, 6, 7, 8, 9, 10, 15, 16 and 17, in Hale county, Alabama.

Recommend that the senate recede from its amendment thereto.

Respectfully,
G. J. HALL,
W. F. HOGUE,
Committee on the part of the senate.

VIRGIL BOULDIN,
A. M. TUNSTALL,
A. Y. GLOVER,
Committee on part of house.

The report was concurred in.

Yeas 22, nays 0.

Yeas:

Messrs. Abercrombie, Bethune, Boykin, Brown, Buchanan, Day, Deans of Shelby, Deens of Covington, Grant, Hall, Hawkins, Hogue, Hollis, Kilpatrick, Lee, Nolen, Pettus, Robinson, Rogers, Smith, Sowell, Walker—22.

SPECIAL ORDER.

The senate next considered the special order, which was the bill

s. 284. To regulate the public school system of the State of Alabama.

Mr. Abercrombie offered amendments, which was adopted.

Mr. Bethune offered an amendment, which was adopted.

Mr. Smith offered an amendment, which was adopted.

Mr. Brown offered an amendment, whtch on motion of Mr. McElderry, was laid on the table.

Yeas 13, nays 12.

Yeas:

Messrs. Abercrombie, Bethune, Boykin, Buchanan, Day, Deans of Shelby, Hall, Hollis, McElderry, Nolen, Robinson, Smith, Sowell—13.

Nays:

Messrs. President, Brown, Deens of Covington, Grant, Hawkins, Hogue, Kilpatrick, Lee, Matthews, Moody, Pettus, Thomason—12.

Mr. Smith offered an amendment to be inserted at end of section 14, which was adopted.

Mr. Nolen offered an amendment to exclude the county of Coosa from the provision of the bill,

Which was adopted.

Mr. Brown offered an amendment, which was adopted.

Mr. McElderry offered an amendment, which was adopted.

On motion of Mr. Buchanan, the further consideration of the bill was postponed until next Tuesday, February 9th, 1897, and made a special order immediately after reading of the journal, and 100 copies and amendments were ordered to be printed.

BILLS ON THIRD READING.

The bill,

H. 724. To provide for and regulate the sale of liquors and other intoxicating drinks in Geneva county of Alabama.

Was read a third time and passed—yeas 24, nays 0.

Yeas:

Messrs. President, Abercrombie, Bethune, Boykin, Brewer, Brown, Cunningham, Day, Deans of Shelby, Deens of Covington, Grant, Hall, Hawkins, Hogue, Hollis, Hundley, Kilpatrick, Lee, Matthews, Moody, Nolen, Pettus, Robinson, Sowell—24.

The bill,

H. 735. For the relief of A. A. Coleman,

Was read a third time and passed—yeas 15, nays 12.

Yeas:

Messrs. President, Brewer, Brown, Cunningham, Deans of Shelby, Grant, Hall, Hawkins, Kilpatrick, Lee, Matthews, Moody, Pettus, Smith, Sowell—15.

Nays:

Nessrs. Bethune, Boykin, Buchanan, Day, Deens of Covington, Hogue, Hollis, McElderry, Nolen, Robinson, Thomason, Walker—12.

Mr. Sowell moved to reconsider the vote by which the bill passed.

Mr, Pettus moved at 12:57 P. M. that the morning session be extended beyond the hour of recess, viz: 1 o'clock P. M., and until the pending question of re-consideration be disposed of.

On motion of Mr. Brown, the motion to extend session, was laid on the table.

Yeas 15, nays 12.

Yeas:

Messrs. Abercrombie, Boykin, Brown, Buchanan,

Day, Deens of Covington, Hall, Hawkins, Hogue, Hollis, McElderry, Nolen, Robinson, Thomason, Walker —15.

Nays:

Messrs. President, Bethune, Cunningham, Deans of Shelby, Grant, Kilpatrick, Lee, Moody, Pettus, Smith, Sowell—12.

RECESS.

At 1:05 o'clock P. M., under the rule, the senate took a recess until 3:30 o'clock this afternoon.

AFTERNOON SESSION.

The senate re-assembled at 3:30 o'clock P. M., and was called to order by the president.

UNFINISHED BUSINESS.

The business pending to-day when the senate took a recess, being the re-consideration of the vote by which the bill,

H. 735. For the relief of A. A. Coleman,

Was passed by the senate to-day.

The motion to re-consider was lost.

Yeas 12, nays 12.

Yeas:

Messrs. Boykin, Brooks, Brown, Buchanan, Day, Hogue, Hollis, Matthews, McElderry, Nolen, Robinson, Thomason—12.

Nays:

Messrs. President, Bethune, Brewer, Cunningham, Deans of Shelby, Grant, Hundley, Kilpatrick, Lee, Moody, Pettus, Sowell—12.

Mr. Hawkins and Mr. Walker were paired.

LEAVES OF ABSENCE.

Leave of absence was granted to Mr. Thomason for to-morrow.

RESOLUTION.

By leave, Mr. Grant offered a resolution, as follows:

Resolved, That, beginning on Monday, February 8th, the session of the senate shall be regulated, ss follows:

Meet at 10 A. M. and adjourn at 1 o'clock P. M.

Meet at 3:30 P. M. and adjourn at 6 P. M.

Meet at 7:30 P. M., adjourn at pleasure,

Which was referred to the committee on rules.

REPORT FROM COMMITTEE ON RULES.

The president of the senate, Mr. Brewer presiding, reported favorably,

The house joint resolution, recognizing the belligrent rights of the Cuban insurgents,

And also a special rule, limiting debate thereon to ten minutes,

And, on his motion, the matter was postponed until to-morrow immediately after committees reports.

REPORT FROM COMMITTEE ON ENROLLED BILLS.

Mr. Matthews, from the committee on enrolled bills, reported the following bills correctly enacted.

s. 265. To amend sections seventeen (17) and twenty-five (25), of an act approved February 18, 1895, entitled an act to establish a new charter for the city of Anniston and to prescribe in what the fines, taxes, licenses, dues and charges due to and collectable by the city of Anniston, shall be paid;

s. 110. To prohibit book making or pool selling on horse races and other forms of gambling;

s. 118. To amend section one of an act approved February 22nd, 1887, entitled an act to amend section one of an act entitled an act for the protection and preservation of game, animals and birds in Perry county, approved February 7th, 1887;

s. 268. To authorize and direct the commissioners court of Randolph county to select and provide a suitable building at Wedowee in said county for the holding

of the various courts of said county until a court house shall have been built for said county and to designate said building;

s. 243. To incorporate the Mobile Light and Railroad Company;

s. 286. To create a separate school district in Limestone county, Alabama, to be known as the Athens school district;

s. 175. To preserve the fields and forests of Sumter county against fire;

s. 269. To authorize the Tallassee Falls Manufaceuring company to discontinue a Ferry across the Tallapoosa river near Tallassee, Elmore county, Alabama.

SIGNING OF SENATE BILLS.

The president of the senate, in the presence of the senate, immediately after their titles had been publicly read by the secretary, signed the senate bills, the titles of which are set forth in the foregoing report of the committee on enrolled bills:

MESSAGE FROM THE HOUSE.

Mr. President:

The house has originated and passed the following bills:

H. 809. To amend section 5 of an act entitled an act to provide for the holding of a term of the circuit court of the fifth judicial circuit at Alexander City, in Tallapoosa county, and to regulate the same, approved Feb., 15, 1889;

H. 880. To incorporate the Muscles Shoals Power Company;

H. 940. To establish a separate school district in Cherokee county, to be known as the Leesburg school district;

H, 644. To change the boundary line of the counties of Bullock and Pike;

H. 1054. To relieve Katie N. Campbell of Montgomery county, of the disabilities of non-age;

H. 622. To incorporate the Central Trust Company of Mobile;

H. 801. To create a lien for advances to make crops in the county of Monroe, and to provide for enforcing the same;

H. 908. To amend section 10 of an act entitled an act to regulate the fine and forfeiture fund of Barbour county, and the disposal of money arising from fines forfeitures and convict labor, approved February 6, 1895;

H. 918. To provide for holding elections for the adoption of stock law in Marshal county, and to provide for carrying it into effect, when it shall be adopted;

H. 1030. To prevent stock from running at large in certain portions of Tuscaloosa county.

And also the bill which was ordered forthwith to the senate without engrossment:

H. 1125. To create the office of county treasurer of Dallas county.

MASSEY WILSON,
Clerk.

HOUSE MESSAGES.

House messages were severally read once and referred to appropriate committees, as follows:

H. 809, 1054, 801, to judiciary;
H. 880, to local legislation;
H. 940, to education;
H. 644, 622, to municipal and county organizations;
H. 908, to penitentiary;
H. 1125, to privileges and elections;
H. 918, 1030, to agriculture.

BILLS ON THIRD READING.

On motion of Mr. Hundley,
The bill,

S. 252. To confirm the incorporation of Huntsville and Monte Sano Improvement Company, and to confer upon it additional powers,

Was laid on the table.

The bill,

H. 680. To confirm the incorporation of Huntsville and Monte Sano Improvement Company, and to confer upon it additional powers,

Was taken up.

Mr. Hundley offered an amendment as section 4 of the bill.

On motion of Mr. Pettus, the amendment was laid on the table.

Yeas 14, nay 11.

Yeas:

Messrs. Bethune, Boykin, Brewer, Cunninghm, Grant, Hogue, Kilpatrick, Lee, Matthews, McElderry, Pettus, Smith, Sowell, Thomason—14.

Nays:

Messrs. President, Brooks, Buchanan, Day, Deens of Shelby, Deens of Covington, Hawkins, Hollis, Hundley, Nolen, Robinson—11.

Mr. Hundley offered a further amendment, as follows:

Strike out in section 2 of the bill the words of said section beginning with the word "for" in 27th line thereof.

Mr. Pettus moved to lay the amendment on the table.

Lost—yeas 10, nays 13.

Yeas:

Messrs. Bethune, Boykin, Hawkins, Hogue, Kilpatrick, Lee, Matthews, Pettus, Smith, Sowell—10.

Nays:

Messrs. President, Abercrombie, Brewer, Brooks, Buchanan, Day, Deans of Shelby, Grant, Hollis, Hundley, Nolen, Robinson, Thomason—13.

And the amendment was lost—yeas 9, nays 15.

Yeas:

Messrs. President, Buchanan, Day, Deans of Shelby, Deens, of Covington, Hollis, Hundley, Nolen, Robinson—9.

Nays:

Messrs. Abercrombie, Bethune, Boykin, Brewer, Brown, Cunningham, Grant, Hogue, Kilpatrick, Lee, Matthews, McElderry, Pettus, Smith, Sowell—15.

On motion of Mr. Pettus, the first amendment offered

by Mr. Hundley as section 4 of the bill, was taken from the table,

And the amendment, as section 4, was adopted.

Mr. Hundley offered an amendment as section 5 of the bill,

Which, on motion of Mr. Sowell, was laid on the table.

Mr. Hundley offered a further amendment, as follows:

Strike out in section 2 of the bill the following words, "any other electric or gas plant or" and the word "plant" in the last line of said section.

Which, on motion of Mr. Sowell, was laid on the table.

Yeas, 16; nays, 8.

Yeas:

Messrs. Abercrombie, Bethune, Boykin, Brewer, Brown, Cunningham, Grant, Hogue, Kilpatrick, Lee, Matthews, McElderry, Pettus, Smith, Sowell, Thomason—16.

Nays:

Messrs. Buchanan, Day, Deans of Shelby, Deens of Covington, Hollis, Hundley, Nolen, Robinson—8.

The bill, as amended, was read a third time and passed—yeas 16, nays 6.

Yeas:

Messrs. Abercrombie, Bethune, Boykin, Brewer, Cunningham, Deens of Covington, Grant, Hogue, Kilpatrick, Lee, Matthews, McElderry, Pettus, Smith, Sowell, Thomason—16.

Nays:

Messrs. Buchanan, Day, Deans of Shelby, Hundley, Nolen, Robinson—6.

The bill,

H. 310. To regulate and fix the fees of the constable of Winfield beat No. 14, in Marion county, Alabama.

Mr. Matthews offered an amendmendment to include Guin beat No. 15 and Pearces Mill beat No. 11, which was adopted.

And the bill as amended. was read a third time and passed—yeas 20, nays 0.

Yeas:

Messrs. President, Abercrombie, Bethune, Boykin, Brewer, Buchanan, Cunningham, Day, Deans of Shelby,

Deens of Covington, Grant, Hawkins, Hollis, Kilpatrick, Lee, Matthews, Nolen, Robinson, Smith, Thomason—20.

The bill,

H. 898. To give priority to the oldest claims against the fine and forfeiture fund in the county of Monroe,

Was read a third time and passed—yeas 18, nays 0.

Yeas:

Messrs. Abercrombie, Bethune, Brewer, Buchanan, Cunningham, Day, Deans of Shelby, Deens of Covington, Grant, Hawkins, Hogue, Kilpatrick, Lee, Matthews, Nolen, Robinson, Smith, Thomason—18.

The bill,

H. 759. To repeal an act entitled an act to regulate sheriffs and coroners sales in the county of St. Clair, approved February 1st, 1856,

Was read a third time and passed—yeas 17, nays 0.

Yeas:

Messrs. Abercrombie, Bethune, Boykin, Brewer, Buchanan, Cunningham, Day, Deans of Shelby, Deens of Covington, Grant, Hawkins, Matthews, McElderry, Nolen, Robinson, Smith, Thomason—17.

The bill,

S. 383. To fix the time of holding the circuit court of Cleburne county, and to dispense with a grand jury in said court, unless such jury be ordered by the judge thereof,

Was read a third time and passed—yeas 19, nays 0.

Yeas:

Messrs. Abercrombie, Bethune, Boykin, Brewer, Buchanan, Cunningham, Day, Deans of Shelby, Deens of Covington, Grant, Hall, Hawkins, Hogue, Hollis, Kilpatrick, Matthews, Pettus, Robinson, Thomason—19.

The bill,

S. 414. To authorize the court of county commissioners of Bullock county to issue and sell bonds of said county to an amount of $10,000, for the purpose of repairing the present jail of Bullock county, or building a new jail for the said county,

The amendment reported by the committee was adopted.

And the bill, as amended, was read a third time and passed—yeas 17, nays 0.

Yeas:

Messrs. President, Abercrombie, Bethune, Brewer, Buchanan, Cunningham, Grant, Hawkins, Hogue, Hollis, Matthews, McElderry, Nolen, Pettus, Robinson, Sowell, Thomason—17.

The bill,

H. 386. To prohibit the sale, giving away, or otherwise disposing of vinous, spirituous or malt liquors, intoxicating cider, bitters or beverages, within a radius of six miles of the Methodist church in Gordon, Henry county, Alabama,

Was read a third time and passed—yeas 20, nays 0.

Yeas:

Messrs. President, Abercrombie, Bethune, Boykin, Brewer, Brown, Buchanan, Cunningham, Day, Grant, Hawkins, Hogue, Hollis, Kilpatrick, Matthews, Nolen, Robinson, Smith, Sowell, Thomason—20.

The bill,

H. 39. To incorporate the West Alabama Male and Female College,

Was taken up.

The amendment reported by the committee was adopted, and the bill, as amended, was read a third time and passed—yeas 21, nay 0.

Yeas:

Messrs. President, Abercrombie, Bethune, Boykin, Brewer, Buchanan, Cunningham, Day, Deans of Shelby, Deens of Covington, Grant, Hawkins, Hogue, Hollis, Kilpatrick, Nolen, Pettus, Robinson, Smith, Sowell, Thomason—21.

The bill,

H. 285. To establish and maintain a uniform series of text books for the public schools of the county of Morgan,

Was taken up.

The amendment reported by the committee was adopted. Mr. Day offered an amendment which was adopted and the bill as amended,

Was read a third time and passed—yeas 21, nays 0.

Yeas:

Messrs. President, Abercrombie, Bethune, Boykin, Buchanan, Cunningham, Day, Deans of Shelby, Deens

of Covington Grant, Hawkins, Hogue, Hollis, McElderry, Moody, Nolen, Pettus, Robinson, Smith, Sowell, Thomason,—21.

On motion of Mr. Robinson, the bill,

s. 263. To repeal an act entitled an act to regulate sheriff's and coroner's sales in the county of St. Clair, approved February 1st, 1856,

Was laid on the table.

MESSAGE FROM THE HOUSE.

Mr. President:

The house has concurred in the senate amendments to

H. 680. To confirm the incorporation of Huntsville and Monte Sano Improvement Company, and to confer upon it additional powers.

MASSEY WILSON,
Clerk.

ADJOURNMENT.

At 5 :55 o'clock P. M., on motion of Mr. Brown, the senate adjourned until tomorrow morning at 10 o'clock.

FORTY-FIRST DAY.

Saturday, February 6th, 1897.

The senate met pursuant to adjournment.

Prayer by the Rev. Mr. Anderson of the city.

Present:

Messrs. President, Abercrombie, Bethune, Boykin, Brewer, Brooks Browder, Buchanan, Case, Cunningham, Day, Deans of Shelby, Deens of Covington, Grant, Hall, Hawkins, Hogue, Hollis, Hundley, Kilpatrick, Lee, Matthews, McElderry, Moody Nolen, Pettus, Robinson, Smith, Sowell, Thomason, Walker.—31,

READING OF THE JOURNAL.

On motion of Mr. Boykin the reading of the journal was dispensed with, and the same was approved.

LEAVES OF ABSENCE.

Leave of absence was granted to Mr. Deans of Shelby indefinitely.

RESOLUTION.

By leave Mr. Abercrombie offered the following resolution:

Resolved, By the senate that the house be requested to return to the senate house bill No. 680;

H. 680. To confirm the incorporation of Huntsville and Monte Sano Improvement Company, and to confer upon it additional powers,

Which was adopted.

Mr. Abercrombie then moved that the vote by which said bill was passed on yesterday be reconsidered, which motion lies over until the subject matter is in the hands of the senate.

MESSAGE FROM THE GOVERNOR.

STATE OF ALABAMA, EXECUTIVE DEPARTMENT,
OFFICE OF THE GOVERNOR,
MONTGOMERY, Feb. 6, 1897.

Mr. President:

The governor has approved the following bills which originated in the senate:

Senate Bills Nos. 351, 179, 110, 175, 286, 269, 268, 118 and 243.

Very respectfully,

JAMES B. SIMPSON,
Recording Secretary.

MESSAGE FROM THE HOUSE.

Mr. President:

The house has concurred in the report of the conference committee on the disagreement of the two houses on

H. 230. To prevent hunting on the lands of another without the consent of the owner or the title in fee simple, or of a life estate therein, or of his authorized agent, in the county of Greene, and in beats number 2, 3, 4, 5, 6, 7, 8, 9, 10, 15, 16 and 17, in Hale county, Alabama,

And has amended as therein shown, and as amended has passed,

s. 143. To prevent putting logs, brush and sawdust in rivers, creeks, branches lakes, ponds and lagoons in this State, and for the punishment thereof,

And has passed the following senate bills:

s. 277. To ratify and confirm the incorporation of the Indian Head Mills of Alabama and to confer additional powers on said corporation,

s. 279. To incorparate the Gulf Coast Immigration and Manufacturing Company.

MASSEY WILSON,
Clerk.

HOUSE MESSAGE.

The senate coucurreed in the house amendment to the senate bill, s. 143, the title of which is set out in the foregoing house message,

Yeas 20, nays 0.

Yeas:

Messrs. President, Abercrombie, Bethune, Brooks. Case, Cunningham, Day, Deans of Shelby, Deens of Covington, Grant, Hall, Hawkins, Hogue, Hollis, Hundley Kilpatrick, Matthews, Nolen, Robinson, Smith —20.

MESSAGE FROM THE HOUSE.

Mr. President:

The speaker having signed the following house bills

your signature is requested :

H. 386. To prohibit the sale, giving away or otherwise disposing of vinous, spirituos or malt, liqors, intoxicatig cider, bitters, or beverages within a radius of six miles of the Methodist church in Gordon, Henry county, Alabama.

H. 724. To provide for and regulate the sale of liquors and other intoxicating drinks in Geneva county, Alabama.

H. 735. For the relief of A. A. Coleman.

H. 759. To repeal an act entitled an act to regulate sheriffs' and coroners' sales in the county of St. Clair, approved Feb. 1st, 1856.

H. 898. To give priority to the oldest claims against the fine and forfeiture fund in the county of Monroe.

MASSEY WILSON,
Clerk.

SIGNING OF HOUSE BILLS.

The president of the senate in the presence of the senate, immediately after their titles had been publicly read by the secretary, signed the foregoing house bills the titles of which are set forth in the foregoing house message.

REPORTS OF COMMITTEES.

Bills were reported from committees and read a second time as follows :

By Mr. Kilpatrick, from judiciary, favorably—

s. 447. To provide for the removal of suits of unlawful detainer and forcible entry and detainer from the courts of justice of the peace and other officers to the circuit court, and to prescribe rules of practice and evidence in such cases in the circuit court ;

Also,

s. 436. To amend an act entitled an act to regulate the trial of misdemeanors in Shelby county, approved Dec. 9th, 1896 ;

Also,

s. 433. To relieve Martha Leslie Davis from the disa-

bilities of non-age;

Also,

s. 434. To relieve Gertrude Davis of Limestone county from the disabilities of non-age;

Also, with amendment,

s. 441. To punish any person who pollutes or contaminates water supplied to cities and towns of the State;

Also, favorably;

s. 402. To amend section 2 of an act approved February 10th, 1891, incorporating the city of Ashville in St. Clair county, Alabama;

Also,

s. 431. To authorize the Adams Street Baptist church of Montgomery, Alabama, to borrow the sum of fifteen hundred dollars, and to secure the payment of the same by a mortgage upon the real estate belonging to the said church;

Also, with amendment,

s. 341. To ratify and confirm the charters of the National Building and Loan Association of Montgomery, Ala., and the Banking, Building and Loan Company of Montgomery, Ala., corporations duly organized and existing under the general laws of the State of Alabama, and to authorize them to issue paid up stock, and loan money to their members;

Also, favorably,

s. 394. To regulate trials in civil causes in courts of justice of the peace and notaries public who are ex-officio justice of the peace in Fayette county;

Also, with amendment,

H. 720. To prevent persons in Selma from being convicted twice for the same offense;

By Mr. Abercrmbie, from education, favorably—

s. 438. To confer additional powers on the trustees of the Alabama Central Female College, located at Tuskaloosa, Alabama;

Also,

s. 445. To establish a separate school district, to be known as the Union School District, in Blount county, Alabama;

Also,

s. 437. To create a separate school district in the

county of Franklin, to be known and called the Burleson public school district, and to define the boundaries thereof;

Also,

H. 397. To create a separate school district in portions of Cullman and Marshall counties;

Also,

H. 940. To establish a separate school district in Cherokee county, to be known as the Leesburg school district;

Also,

H. 829. To create the Mt. Zion school district in Morgan and Lawrence counties;

Also,

H. 1029. To amend section 2 of an act approved February 18th, 1895, page 789, relating to Pleasant Grove school district, in Jackson county;

Also,

H. 769. To establish a separate school district in Barbour county, to be known as the Lodie school district;

Also,

H. 843. To amend an act entitled an act to establish a separate school district to be known as Reynolds school district, in Henry county;

Also,

H. 617. To amend section one (1) of an act entitled an act to create a separate school district in Cullman county, Alabama, and define the boundaries of the same, approved February 28, 1887;

Also,

H. 368. To provide for the better support and maintenance of the public schools of Walker county, Alabama;

Also,

H. 354. To establish a separate school district in townships 10 and 11 of range 18, Crenshaw county, Alabama, to be known as the Bradleyton school district;

Also,

H. 610. To establish a separate school district in Franklin county, Alabama, to be known as the Belgreen school district, and to fix the boundaries of same;

Also,

H. 711. To establish a separate school district in Barbour county, Alabama, to be known as the Louisville

and Mt. Zion school district;

By Mr. Brewer, from finance and taxation, favorably—

s. 419. To authorize, ratify and confirm the schedule of licenses for the city of Birmingham, for the year 1897, and the ordinances of the board of mayor and aldermen of said city, adopting and establishing the same;

Also,

s. 422. To provide for the collection of local assessments for public improvements of the mayor and aldermen of Birmingham;

Also, with amendments,

H. 316. For the relief of Wm. C. Roeck, clerk of the circuit court of Tallapoosa county;

Also, favorably,

H. 543. To require the tax asssessor and tax collector of Marion county to keep their offices within one mile of the court house;

Also, with substitute,

H. 255. To amend section 3687 of the Code of Alabama;

Also, favorably,

H. 679. To authorize the court of county commissioners of Madison county to encourage the enlargement of the plant of the Dallas Manufacturing Company in Madison county;

Also, with amendment,

H. 792. For the relief of B. H. Lewis, E. G. Padgett and Jacob Neese, as the sureties on the official bond of Wm. M. Snider, as superintendent of Covington county;

By Mr. Hawkins, from agriculture, favorably,

s. 442. To authorize the board of intendent and councilmen of the town of Abbeville, Henry county, to issue and negotiate bonds of said town, to an amount not exceeding four thousand dollars, for the completion and equipping of the Southeast Alabama Agricultural School building now being erected in said town, and to provide for the interest and principal of said bonds;

By Mr. McElderry, from privileges and elections, favorably—

H. 1125. To create the office of county treasurer of Dallas county;

By Mr. Moody, from temperance, favorably—

H. 895. To regulate the trial of misdemeanors growing out of the illegal sale of spirituous, vinous or malt liquors in the county of Macon, or for the violation of any of the provisions of an act regulating the sale of spirituous, vinous or malt liquors in said county;

Also,

H. 603. To prohibit the sale, giving away, or otherwise disposing of spirituous, vinous or malt liquors or any intoxicating bitters, within four miles of the Tuscaloosa district high school, situated at Berry Station, Fayette county, Alabama.

SPECIAL ORDER.

The special order was next taken up, being

The house joint resolution favoring the recognition of the belligerent rights of the insurgent Cubans.

The special rule limiting debate to ten minutes was adopted.

Mr. Sayre (Mr. Cunningham presiding) moved to amend the resolution by striking out the words "and social equality,"

Which was adopted,

The resolution was concurred in.

RECOMMITMENT OF BILLS.

Mr. Hawkins from the committee on agriculture returned house bill 646;

H. 646. To change the name of the Barber Memorial Industrial Institute to the Barber Memorial Seminary and to amend the charter of said corporation,

And ask that same be referred to the committee on corporations which was accordingly done.

The bill

H. 921. To amend section 1 of an act to establish a new charter for the city of Montgomery, approved December 9th, 1896,

Was on motion of Mr. Sayre, Mr. Cunningham presiding, recommitted to the committee on local legislation.

MESSAGE FROM THE HOUSE.

Mr. President:

The house has originated and passed the following bills:

H. 441. To repeal the incorporation of the town of Fayetteville in Fayette county incorporated under the general laws of the State;

H. 492. For the relief of H. W. Slaughter and the estate of W. H. Slaughter deceased;

H. 504. To reduce the corporate limits of the town of Carrolton in Pickens county;

H. 520. To create a separate school district in beat 1. township 21 and 22, range 21 in Tallapoosa county, Alabama;

H. 648. To provide for affixing valuations to any real property, sold for taxes and bought by the State, where redemption or purchase is sought from the State and it is necessary to assess and collect the taxes thereon for any year other than that for the taxes of which the same was sold to the State;

H. 811. To prohibit the sale, giving away or otherwise disposing of alcoholic, spirituous, vinous or malt liquors, intoxicating bitters, wines, or fruits preserved in such intoxicants, within five miles of the court house in the city of Oneonta, Alabama, and to repeal all laws in conflict with the same;

H. 819. To amend section three (3) of an act approved February 12, 1895, entitled an act to establish the thirteenth judicial circuit of the State of Alabama, to fix the time of holding courts therein, and to provide for the appointment of a judge and the election of a solicitor for said circuit;

H. 840. To authorize the council of Selma to fix the compensation of the commissioners of the sinking fund commission, and such compensation to be paid out of the sinking fund;

H. 935. To fix the time of holding the circuit court in Marion county, in this State and to regulate the proceedings in such court:

H. 936. To amend section 1 of an act to regulate the

practice and proceedings in civil cases in the circuit courts of Colbert and Lauderdale counties in this State, and in the supreme court on appeals from judgment rendered in such cases approved February 18th, 1895;

H. 1034. To incorporate the Eutaw Presbyterian Church;

H. 976. To authorize the board of control of the Southeast Alabama Agricultural Experiment Station and School to sell and convey the lot and school building thereon in the town of Abbeville, in Henry county, and to expend the proceeds thereof on the new school building now being erected in said town, or for the improvement of said Experiment Station;

H. 1038, To amend the charter of the city of Birmingham, as to change and establish the time for holding elections for mayor and aldermen in said city; to alter, define and fix the term of office of the present mayor and aldermen of such city; and the mayor and aldermen hereafter to be elected; and to provide for the drawing of lots to determine which of the present aldermen of said city shall hold for the short term and the long term respectively;

H. 1044. To legalize certain acts of the Christian and Craft Grocery Company of Mobile, a corporation duly organized under the laws of the State of Alabama;

H. 1097. To amend section 3286 of the Code of 1876 as re-enacted in an act entitled an act to re-enact sections 3286, 3287 and 3288 of the Code of 1876, so far as it relates to Wilcox, Macon, Marengo and Washington counties, approved December 10, 1886, so far as it relates to Macon county;

H. 978. To incorporate the Sons and Daughters of Charity Lodge No. 1;

H. 1090. To incorporate the Home Mutual Fire Insurance Company of Alabama and to define its rights, powers, franchises and duties;

H. 1123. To amend sections 1 and 6 of an act entitled an act to incorporate the town of Fort Deposit, in the county of Lowndes, approved February 13th, 1891.

MASSEY WILSON,
Clerk.

HOUSE MESSAGES.

The house bills just received, the titles of which are set forth in the foregoing house message, were severally read once, and referred to appropriate committes as follows:

H. 441, 504, 840, to municipal and county organizations;

H. 492, 648, to finance and taxation;

H. 520, to education;

H. 811, to temperance;

H. 819, 935, 936, 1038, 1044, 1097, to judiciary;

H. 1034, 978, 1090, 1123, to corporations;

H. 976, to agriculture.

REPORT FROM COMMITTEE ON ENROLLED BILLS

Mr. Matthews from the committee on enrolled bills report the following bills correctly enrolled:

S. 277. To ratify and confirm the incorporation of the Indian Head Mills of Alabama, and confer additional power on said corporation;

S. 279. To incorporate the Gulf Coast Immigration and Manufacturing Company.

SIGNING SENATE BILLS.

The president of the senate, in the presence of the senate, immediately after their titles had been publicly read by the secretary, signed the above senate bills, the titles of which are set out in the foregoing reports of committee on enrolled bills.

BILLS ON THIRD READING.

The senate proceeded to consider bills on a third reading.

The bill

H. 291. To adjust and extend the bonded bebt of the county of Pickens,

Which was read a third time and passed—yeas 21, nays 0.

Yeas:

Messrs. President, Abercrombie, Boykin, Brewer, Buchanan, Case, Cunningham, Deans of Shelby, Deens of Covington, Grant, Hall, Hawkins, Hogue, Hundley, Kilpatrick, Matthews, Moody, Nolen, Robinson, Sowell, Walker—21.

The bill

H. 556. To regulate the running at large of stock in certain portions of Marengo county,

Was read a third time and passed—yeas 20, nays 0.

Yeas:

Messrs. President, Abercrombie, Bethune, Boykin, Brooks, Cunningham, Day, Deans of Shelby, Deens of Covington, Grant, Hawkins, Hogue, Hollis, Kilpatrick, Matthews, Nolen, Robinson, Smith, Sowell, Walker—20.

The bill

H. 452. To authorize and empower the Georgia & Alabama Railway to have as many as fifteen directors,

Was read a third time and passed.—yeas 19, nays 0.

Yeas:

Messrs. President, Abercrombie, Boykin, Brooks, Buchanan, Case, Deens of Covington, Grant, Hawkins, Hogue, Hollis, Hundley, Kilpatrick, Matthews, Nolen, Robinson, Smith, Sowell, Walker—19.

The bill,

H. 383. To prohibit the sale, giving away or otherwise disposing of spirituous, vinous or malt liquors, or other intoxicating drinks, within five miles of Smith's Chapel, Methodist church and Phillippi church, at Mountainboro.

On motion of Mr. Moody the amendment proposed by the committee was laid on the table.

Mr. Robinson offered an amendment, which was adopted.

And the bill as amended was read a third time and passed—yeas 23, nays 0.

Yeas:

Messrs. President, Abercrombie, Boykin, Brewer, Brooks, Buchanan, Case Cunningham, Deans of Shelby,

Deens of Covington, Grant, Hall, Hawkins, Hogue, Hollis, Hundley, Matthews, McElderry, Moody, Nolen, Robinson, Smith, Sowell—23.

H. 106. To establish a county school book board to select a uniform series of text books for use in the public schools in the county of Winston,

Was read a third time and passed—yeas 20, nays 0.

Yeas:

Messrs. President, Abercrombie, Bethune, Buchanan, Case, Cunningham, Day, Deans of Shelby, Deens of Covington, Grant, Hall, Hawkins, Hogue, Hollis, Hundley Matthews, Nolen, Robinson, Smith, Sowell—20.

The bill,

H. 828. To vacate a part of the plat of certain lands in Jefferson county, made by the Elyton Land Co., a corporation in Jefferson county,

Was read a third time and passed—yeas 21, nays 0.

Yeas:

Messrs. President, Abercrombie, Brooks, Buchanan, Cunningham, Deans of Shelby, Deens of Covington, Grant, Hall, Hawkins, Hogue, Hollis, Hundley, Kilpatrick, Matthews, McElderry, Nolen, Robinson, Smith, Sowell, Walker—21.

H. 160. To establish a separate school district to be known as the Mount Zion school district, composed of a portion of DeKalb, Marshall, and Etowah counties, Alabama,

Was read a third time and passed—yeas 22, nays 0.

Yeas:

Messrs. President, Abercrombie, Boykin, Brooks, Buchanan, Cunningham, Deans of Shelby, Deens of Covington, Grant, Hall, Hawkins, Hogue, Hollis, Hundley, Kilpatrick, Matthews, McElderry, Nolen, Robinson, Smith, Sowell, Walker—22.

The bill,

H. 333. To establish a county school book board to select a uniform series of text books for use in the public schools in the counties of Sumter and Madison,

Was read a third time and passed—yeas 20, nays 0.

Yeas:

Messrs. Abercrombie, Bethune, Boykin, Brooks, Bu-

chanan, Case, Cunningham, Deans of Shelby, Deens of Covington, Grant, Hall, Hogue, Hollis, Kilpatrick, Matthews, Nolen, Robinson, Smith, Sowell, Walker—20.

The bill,

H. 205. To authorize the board of intendant and councilmen of the town of York Station, in Sumter county, to issue bonds of the said town for an amount not exceeding two thousand dollars for the purpose of building or procuring suitable buildings for the use of the residents of said town,

Was read a third time and passed—yeas 20, nays 0.

Yeas:

Messrs. Abercrombie, Boykin, Brooks, Buchanan, Case, Cunningham, Day, Deans of Shelby, Deens of Covington, Grant, Hawkins, Hogue, Hollis, Hundley, Kilpatrick, Matthews, Nolen, Robinson, Smith, Sowell, Walker—20.

The bill,

H. 278. To establish Blossburg School District in Jefferson county, Alabama,

Was read a third time and passed—yeas 21, nay 0.

Yeas:

Messrs. Abercrombie, Bethune, Boykin, Brooks, Buchanan, Case, Cunningham, Deans of Shelby, Deens of Covington, Grant, Hall, Hawkins, Hogue, Hollis, Kilpatrick, Matthews, McElderry, Nolen, Smith, Sowell, Walker—21.

The bill,

H. 321. For the relief of John T. Bell, and making an appropriation to refund to him two hundred dollars, the same being money that he paid into the State treasury on the 9th day of January, 1896, for a license to do business as a wholesale liquor dealer in the town of Clayton, Barbour county, Alabama, but immediately thereafter he discontinued business as such wholesale dealer, made application to have said wholesale license, which application was refused, thereby forcing him to pay into the treasury a similar sum for a license to sell liquors at retail in said town of Clayton, thereby paying into the treasury money for two licenses, while he operated under but one.

Was taken up and considered.

Mr. Hundley moved to lay the bill on the table.

Carried—yeas 15, nays 12.

Yeas:

Messrs. Abercrombie, Bethune, Brooks, Brown, Buchanan, Deans of Shelby, Deens of Covington, Hall, Hogue, Hollis, Hundley, Matthews, McElderry, Robininson, Sowell—15.

Nays:

Messrs. President, Boykin, Brewer, Case, Cunningham, Day, Grant, Hawkins, Kilpatrick, Nolen, Pettus, Smith—12.

The bill,

H. 324. To authorize the court of county commissioners of Calhoun county to issue and sell bonds of said county, not exceeding seventy-five thousand dollars for the purpose of paying the outstanding county warrants.

The amendment reported by the committee was adopted.

The bill, as amended, was read a third time and passed—yeas 19, nays 0.

Yeas:

Messrs. President, Abercrombie, Bethune, Boykin, Brooks, Case, Cunningham, Deans of Shelby, Deens of Covington, Grant, Hawkins, Hogue, Hollis, Kilpatrick, Nolen, Pettus, Robinson, Smith, Walker—19.

The bill,

H. 793. To amend section 7 of an act approved February 21st, 1893, entitled an act to constitute the city of Wetumpka a separate school district, and to provide a board of education therefor,

Was read a third time and passed—yeas 18, nays 0.

Yeas:

Messrs. Abercrombie, Bethune, Brooks, Buchanan, Case, Cunningham, Day, Deans of Shelby, Deens of Covington, Grant, Hall, Hogue, Hundley, Kilpatrick, McElderry, Robinson, Smith, Walker—18

The bill,

H. 794. To authorize the mayor and aldermen of the city of Wetumpka to issue bonds of said city for an amount not to exceed ten thousand dollars, for the purpose of purchasing lots or real estate, improved or unimproved, to be used for school purposes in said city, and

Mr. Hundley moved to lay the bill on the table.

Carried—yeas 15, nays 12.

Yeas:

Messrs. Abercrombie, Bethune, Brooks, Brown, Buchanan, Deans of Shelby, Deens of Covington, Hall, Hogue, Hollis, Hundley, Matthews, McElderry, Robinson, Sowell—15.

Nays:

Messrs. President, Boykin, Brewer, Case, Cunningham, Day, Grant, Hawkins, Kilpatrick, Nolen, Pettus, Smith—12.

The bill,

H. 324. To authorize the court of county commissioners of Calhoun county to issue and sell bonds of said county, not exceeding seventy-five thousand dollars for the purpose of paying the outstanding county warrants.

The amendment reported by the committee was adopted.

The bill, as amended, was read a third time and passed—yeas 19, nays 0.

Yeas:

Messrs. President, Abercrombie, Bethune, Boykin, Brooks, Case, Cunningham, Deans of Shelby, Deens of Covington, Grant, Hawkins, Hogue, Hollis, Kilpatrick, Nolen, Pettus, Robinson, Smith, Walker—19.

The bill,

H. 793. To amend section 7 of an act approved February 21st, 1893, entitled an act to constitute the city of Wetumpka a separate school district, and to provide a board of education therefor,

Was read a third time and passed—yeas 18, nays 0.

Yeas:

Messrs. Abercrombie, Bethune, Brooks, Buchanan, Case, Cunningham, Day, Deans of Shelby, Deens of Covington, Grant, Hall, Hogue, Hundley, Kilpatrick, McElderry, Robinson, Smith, Walker—18

The bill,

H. 794. To authorize the mayor and aldermen of the city of Wetumpka to issue bonds of said city for an amount not to exceed ten thousand dollars, for the purpose of purchasing lots or real estate, improved or unimproved, to be used for school purposes in said city, and

adopted.

The bill as amended was read a third time and passed—yeas 23, nays 0.

Yeas:

Messrs. President, Abercrombie, Bethune, Brewer, Brooks, Buchanan, Case, Cunningham, Deans of Shelby, Deens of Covington, Grant, Hall, Hawkins, Hogue, Hollis, Hundley, Matthews, McElderry, Nolen, Robinson, Smith, Sowell, Walker—23.

The bill,

H. 576. To amend section 1 of an act to prevent hogs from running at large in Madison county, approved February 16th, 1891,

Was read a third time and passed.—yeas 14, nays 6.

Yeas:

Messrs. President, Bethune, Boykin, Buchanan, Case, Cunningham, Deens of Covington, Hawkins, Hogue, Matthews, McElderry, Smith, Sowell, Walker—14.

Nays:

Messrs. Grant, Hall, Hundley, Kilpatrick, Nolen and Robinson—6.

The bill,

H. 519. To provide for the permanent location of the county site of Russell county by a vote of the qualified electors of said county, and to provide for the disposition of the court house and jail, now located at Seale, in the event the county site is permanently located at Girard and for other purposes,

Was taken up.

Mr. Boykin offered an amendment which was adopted,

And the bill as amended was read a third time and passed—yeas 20, nays 0.

Yeas:

Messrs. President, Bethune, Boykin, Brewer, Brooks, Buchanan, Cunningham, Deans of Shelby, Deens of Covington, Grant, Hawkins, Hogue, Hollis, Matthews, McElderry, Moody, Nolen, Smith, Sowell, Walker—20.

The bill,

H. 107. For the relief of J. C. Lawrence of Perry county,

Was read the third time,

Pending its further consideration.

REPORT FROM COMMITTEE ON RULES.

Mr. Sayre (Mr. Cunningham presiding) from the committee on rules, reported favorably the following rule:

Rule.—That hereafter, upon the demand of any senator, and a vote of a majority of senate, the previous question may be ordered on any or all pending questions.

The report was concurred in and the rule was adopted.

MESSAGE FROM THE HOUSE.

Mr. President:

The house has concurred in the senate amendments to the following bills:

H. 39. To incorporate the West Alabama Male and Female College;

H. 310. To regulate and fix the fees of the constable of Winfield Beat, No. 14, in Marion county, Alabama;

H. 285. To establish and maintain a uniform series of text books for the public schools of the county of Morgan.

MASSEY WILSON,
Clerk.

RECESS.

The hour of 1 P. M. having arrived, the senate took a recess until 3:30 o'clock this afternoon.

AFTERNOON SESSION.

The senate re-assembled at 3:30 o'clock P. M. and was called to order by the president.

A quorum was present.

LEAVE OF ABSENCE.

Leave of absence for the afternoon was granted to Mr. Bethune.

INTRODUCTION OF BILLS.

By leave bills were introduced, read the first time and referred to appropriate committees, as follows:

By Mr. Pettus—

s. 448. To require public officials in the State of Alabama to be commissioned before entering on the duties of their respective offices and to designate the fee to be paid therefor,

Judiciary;

By Mr. Boykin—

s. 449. To provide and to regulate the appropriation to the University of Alabama; and to enable deserving and indigent students in the several counties of the State to obtain an education at that institution,

Education;

RESOLUTIONS.

By leave Mr. Abercrombie offered a resolution as follows:

"*Resolved*, that the secretary of the senate be directed to ascertain and report as early as possible why the house has refused to return to the senate house bill No. 680;"

And on his motion the resolution was immediately considered and adopted.

By leave, Mr. Sayre, Mr, Pettus presiding, offered a joint resolution as follows:

Resolved by the senate the house of representatives concurring, that the governor is authorized to draw a warrant on the treasury to purchase for the capitol watchmen one uniform each,

Which was referred to the committee on rules.

The senate proceeded to consider

BILLS ON THIRD READING.

The consideration of the bill pending at the hour of recess to-day, to-wit:

H. 107. For the relief of J. C. Lawrence of Perry county,

Was passed.

Yeas 17, nays 0.

Yeas:

Messrs. President, Abercrombie, Bethune, Boykin, Grant, Hawkins, Hogue, Hollis, Kilpatrick, Matthews, McElderry, Moody, Nolen, Pettus, Robinson, Smith, Walker—17.

The bill,

H. 957. To amend an act to establish a board of revenue for Barbour county, approved February 18th, 1895,

Was read a third time and passed—yeas 18, nays 0.

Yeas:

Messrs. President, Abercrombie, Bethune, Boykin, Brown, Grant, Hawkins, Hogue, Hollis, Hundley, Kilpatrick, Matthews, McElderry, Moody, Pettus, Robinson, Smith, Walker—18.

The bill,

H. 1080. For the improvement of the public roads in Barbour county,

Was read a third time and passed—yeas 19, nays 0.

Yeas:

Messrs. President, Abercrombie, Boykin, Brooks, Brown, Day, Grant, Hawkins, Hogue, Hollis, Hundley, Kilpatrick, Matthews, McElderry, Moody, Nolen, Pettus, Robinson, Smith—19.

The bill,

S. 354. To fix the time or period of redemption of any renewal or funding bonds, which the governor of this State may issue,

Was read a third time and passed—yeas 21, nays 0.

Yeas:

Messrs. President, Abercrombie, Boykin, Brooks, Brown, Buchanan, Day, Grant, Hall, Hawkins, Hogue, Hollis, Hundley, Kilpatrick, Matthews, McElderry, Moody, Pettus, Robinson, Smith, Walker—21.

The bill,

s. 339. To amend section 7 of an act entitled an act to confirm the incorporation and organization of the McGill Institute in the city of Mobile and to define, declare and enlarge the powers of said corporation, approved December 9th, 1896,

Was read a third time and lost—yeas 9, nay 12.

Yeas:

Messrs. President, Brooks, Grant, Hollis, Kilpatrick, McElderry, Moody, Pettus, Walker—9.

Nays:

Messrs, Abercrombie, Boykin, Brown, Day, Hall, Hawkins, Hogue, Hundley, Matthews, Nolen, Robinson, Smith—12.

The bill,

H. 23. To fix the compensation of the tax assessor of Montgomery county, and authorize the board of revenue of said county to pay said tax assessor quarterly such sums of money as said board may deem just and proper, to be charged against the fees and commissions earned by him and collected by the tax collector,

Was read a third time and passed—yeas 21, nays 0.

Yeas:

Messrs. President, Abercrombie, Boykin, Brooks, Brown, Day, Grant, Hall, Hawkins, Hogue, Hollis, Hundley, Kilpatrick, Matthews, McElderry, Moody, Nolen, Pettus, Robinson, Smith, Thomason—21.

The bill,

s. 362. To amend an act to establish the Tuskaloosa county law and equity court, approved December 9th, 1896, by striking out section 7 and inserting in lieu thereof a provision abolishing the present county court of Tuskaloosa county; by amending sections 5, 6, 15, 25 and 27; by adding section 30, providing that under certain circumstances, the solicitor of this court may procure assistance, and by adding section 31 requiring the solicitor of the court to attend preliminary investigations in certain cases,

Was taken up.

The substitute reported by the committee was adopted,

And the bill, as amended, was read a third time and passed—yeas 17, nays 0.

Yeas:

Messrs. President, Abercrombie, Boykin, Brooks, Brown, Grant, Hundley, Kilpatrick, Lee, Matthews, McElderry, Moody, Nolen, Pettus, Robinson, Smith, Walker—17.

RECONSIDERATION OF VOTE.

On motion of Mr. Hogue the vote on the passage of the bill,

H. 324. To authorize the court of county commissioners of Calhoun county to issue and sell bonds of said county not exceeding seventy-five thousand dollars for the purpose of paying the outstanding county warrants.

Was reconsidered and the vote by which the bill was ordered to a third reading, was reconsidered.

Mr. Hogue offered an amendment as follows:

Amended by inserting after the word "taxation," in the second line of section 8 of the bill, the words "in said Calhoun county," which was adopted.

And the bill as amended, was read a third time, and passed—yeas 17, nays 0.

Yeas:

Messrs. President, Abercrombie, Boykin, Brown, Day, Grant, Hawkins, Hogue, Hollis, Hundley, Matthews, McElderry, Moody, Nolen, Pettus, Smith, Walker—17.

MESSAGE FROM THE HOUSE.

Mr. President:

The house has originated and passed the following bills and ordered the same to the senate forthwith without engrossment:

H. 511. To amend an act entitled an act to create and establish an industrial school for white girls, in the State of Alabama;

H. 521. To more effectively protect the people against combinations, conspiracies and agreements between insurers, whereby rates of insurance are raised or fixed.

MASSEY WILSON,
Clerk.

HOUSE MESSAGE.

The house bills just received, the titles to which are set out in the foregoing house message, were severally read the first time and reported to appropriate committees, as follows:

H. 511, to education;
H. 521, to judiciary.

ADJOURNMENT.

At 4:30 o'clock P. M., on motion of Mr. Sayre, Mr. Pettus presiding, the senate adjourned until Monday morning at 10 o'clock.

FORTY SECOND DAY.

Monday, February, 8th, 1897.

The senate met persuant to adjournment.
Prayer by the Rev. Mr. Street of the city.
Present:
Messrs. President, Abercrombie, Boykin, Brooks, Brown,, Buchanan, Cunningham, Day, Deens of Covington, Grant, Hall, Hawkins. Hogue, Hollis, Hundley, Kilpatrick, Lee, Matthews, McElderry, Nolen, Pettus, Robinson, Smith, Sowell, Walker—25.

READING OF THE JOURNAL.

On motion of Mt. Matthews, the reading of the journal of yesterday was dispensed with, and the same was approved.

LEAVES OF ABSENSE.

Indefinate leave of absence was granted to Mr. Case on account of sickness.

On the call of the districts, bills were introduced, read and referred to appropriate committees, as follows:

By Mr. Abercrombie—

s. 450. To amend section three of an act entitled "an act to amend and revise the charter of the town of Oxanna," approved, February 18th, 1891,

Education;

By Mr. Hundley—

s. 452. To regulate certificates for the acknowledgment of married women to conveyances where two or more join in the execution thereof,

Judiciary;

By Mr. Brooks, (by request)—

s. 451. To amend section five of an act entitled an act to incorporate the town of Abbeville, in the county of Henry, approved Feb. 8th 1872,

Municipal and county organizations;

Also,

s. 453. To establish a charter for the town of Dundee in Geneva county,

Municipal and county organizations;

By Mr. Matthews, [by request]—

s. 454. To prohibit the sale or other disposition of alcoholic, spirituous, vinous or malt liquors or intoxicating bitters or beverages, within ten miles of the Alabama Industrial School building, at Montevallo, in Shelby county, Alabama,

Temperance;

By Mr. Hall, [by request]—

s. 455. To constitute the town of Albertville, a seperate school district and to provide for the management of the public schools of said district,

Education;

By Mr. Brooks—

s. 456. To prohibit the selling, giving away or otherwise disposing of spirituous or malt liquors intoxicating beverages or bitters or fruits preserved in alcoholic liquors within six miles, by the most commonly traveled route of the Dothan High School except in the town of

Dothan or other incorporated towns or cities.
Temperance.

MESSAGE FROM THE HOUSE.

Mr. President:

The house has originated and passed the following bills:

H. 642. To promote and secure the erection and operation of cotton mills and factories in the State of Alabama,

H. 666. For the relief of Lula Morris of Lauderdale county.

H. 798. To declare unlawful and void all arrangements, contracts, agreements, trusts or combinations, made with a view to lessen or which tend to lessen free competition in the importation or sale of articles imported into this State, or in the manufacture of articles of domestic growth, or of domestic raw material, to declare unlawful and void all arrangements, contracts, agreements, trusts or combinations between persons or corporations designed, or which tend to advance, reduce or control the price of such product or article to producer or consumer of any such product or article; to provide for forfeiture of the charter and franchise of any corporation, organized under the laws of this State, violating any of the provisions of this act, to prohibit every foreign corporation violating any of the provisions of this act from doing business in this State, to require the Attorney General of this State, to institute legal proceedings against any such corporations violating the provisions of this act, and to enforce the penalties prescribed; to prescribe penalties for any violation of this act; to authorize any person or corporation, damaged by any such trust, agreement or combination, to sue for the recovery of such damage, and for other purposes.

H. 818. To make an additional appropriation for the salary of the solicitor of the thirteenth judicial circuit,

H. 929. To authorize the National Building and Loan Association of Montgomery, Alabama, a corpora-

tion duly organized and existing under the general laws of the State of Alabama, to issue paid up stock, loan money to its members on said stocks,

H. 938. To create a separate school district in the county of Macon, to be known as the Cross Keys High School district,

H. 979. For the preservation of game and birds in Barbour county,

H. 1109. To repeal an act entitled an act to prohibit the sale, giving away or otherwise diposing of spirituous vinous, or malt liquors in Magnolia, Horse Creek and Hill's Precinct, in Marengo county, approved February 17th, 1885; so far as the same relates to Magnolia Precinct in said county,

H. 1147. To authorize the mayor and aldermen of the city of Florence, Alabama, to appoint a board of public works for said city, and to define the powers and duties of such board.

H. 1126. To amend section 3685 of the code of Alabama, only as to Hale, Greene, Tuscaloosa, Pickens, Fayette, Barbour, Conecuh, Bibb, Jefferson, Dallas, Montgomery, Clarke, Washington, Lee, Bullock, Talladega, Wilcox, Lauderdale, Macon, Calhoun, Mobile, Autauga, Cherokee and Marion counties,

And refuses to comply with the request of the senate to return to the senate,

H. 680. To confirm the incorporation of Huntsville and Monte Sano Improvement Company and to confer on additional powers.

MASSEY WILSON,
Clerk.

HOUSE MESSAGES.

The house bills in the foregoing house message were severally read once and referred to appropriate Committees as follows:

H. 642, 818, to finance and taxation;
H. 666, 979, to local legislation;
H. 798, 1126, to judiciary;
H. 929, 1147, to corporations;
H. 1109, to temperance;

H. 938, to education.

RESOLUTIONS.

Mr. Sayre, Mr. McElderry presiding, offered a resolution, as follows:

Resolved, That the committee on rules inquire into the matter of clerical assistance to the secretary, and report such resolution as it thinks proper,

Which was referred to the committee on rules.

Mr. Hundley offered a preamble and resolution as follows:

Whereas, the Constitution of Alabama confers upon this senate, equal and co-ordinate authority with the house in the enactment of laws, and whereas, this senate, with a view of entertaining a motion to reconsider the vote by which house bill No. 680 passed the senate, requested of the house a return of said bill, which request the house has refused, therefore:

Resolved by the senate, That no further message from the house shall be received until the house shall have complied with the request of the senate as above set forth,

Which was referred to the committee on rules.

Mr. McElderry, offered a resolution as follows:

Whereas, to call a bill up out of its regular order deprives other senators of their natural priorities and induces a selfish spirit.

Resolved, That we deem such conduct unworthy the dignity of a senator, and not to be indulged in except in cases of grave public interest,

Which was referred to the committee on rules.

REPORT FROM COMMITTEE ON RULES.

Mr. Pettus from the committee on rules reported a resolution as follow:

Resolved by the senate, the house concurring, That the committee on joint rules be requested to meet to consider the matter of communications between the two houses,

Which was adopted,

Mr. Sayre, Mr. McElderry presiding, from the same committee reported favorably, the senate joint resolution,

Authorizing the governor to draw a warrant on the treasury for the purpose of buying a uniform for each of the capitol watchman.

The report was concurred in and the resolution was adopted.

RECONSIDERATION OF VOTE.

On motion of Mr. Smith, the vote on the passage of the bill,

s. 339. To amend section 7 of an act entitled an act to confirm the incorporation and organization of the McGill Institute in the city of Mobile, and to define, declare and enlarge the powers of said corporation, approved December 9th, 1896,

Was re-considered,

The vote by which the bill was ordered to a third reading was, also re-considered.

Mr. Smith offered an amendment to exempt the bonds from county and municipal taxes in the county of Mobile,

Which was adopted.

The bill, as amended, was read the third time and passed—yeas 22, nays 0.

Yeas:

Messrs. Abercrombie, Boykin, Brooks, Brown, Buchanan, Cunningham, Day, Deans of Shelby, Deens of Covington, Grant, Hall, Hawkins, Hollis, Hundley, Matthews, McElderry, Moody, Nolen, Pettus, Robinson, Smith, Walker—22.

REPORTS FROM COMMITTEES ON ENROLLED BILLS.

Mr. Matthews, from the committee on enrolled bills, reported as correctly enrolled the following bills:

s. 143. To prevent putting logs, brush and saw dust in rivers, creeks, branches, lakes, ponds and lagoons in this State, and for the punishment thereof;

s. 359. To provide for a charter for the town of

Hartford, in Geneva county, Alabama;

SIGNING SENATE BILLS.

The president of the senate, in the presence of the senate, immediately after their titles had been publicly read by the secretary, signed the above senate bills, the titles of which are set forth in the foregoing report from the committee on enrolled bills,

MESSAGE FROM THE GOVERNOR.

MONTGOMERY, February 8th, 1897.

Mr. President:

I am directed by the governor to communicate to the senate a message in writing.

Respectfully,
CHAPPELL CORY.
Private Secretary.

THE STATE OF ALABAMA, EXECUTIVE DEPARTMENT,
OFFICE OF THE GOVERNOR.
MONTGOMERY, ALA., February 8, 1897.

To the Senate:

It is with much reluctance that I return, without my approval senate bill No. 265, amending the charter of the city of Anniston, because it is a local bill and has had the approval of the distinguished gentlemen who represent the county in the general assembly.

Under an act approved December 12th, 1892, the city of Anniston was authorized to issue $55,000 of bonds to pay its floating debt and equip its public schools: This act expressly authorized the city authorities to make the coupons of such bonds receivable for taxes and licenses due to said city.

It is not denied that under the provisions of this act bonds were issued and sold with this contract expressed on the face of the coupons, and it can hardly be questioned that this contract right to use the coupons in pay-

ing taxes and licenses to the city of Anniston gave increased value to the bonds. Such must have been the intention of the city authorities or they would not have voluntarily caused such provision to be enacted into law or inserted in the coupons.

The third section of the bill I return to you provides that "from and after the passage of the act all fines, licenses and taxes &c., payable to the city of Anniston shall be payable alone in lawful money of the United States" and prohibits the city authorities from passing any ordinance permitting payment in anything except lawful money of the United States. This provision denies to the holders of the coupons referred to the right given them on the face of their coupons.

The constitution of our State forbids the passage of any law that impairs the obligation of contracts by destroying or impairing the remedy, and I am constrained by this provision of our constitution from giving my assent to the bill herewith returned.

Whilst I am sure that there is no intention on the part of the city authorities of Anniston to evade any just obligation I do not think we can be too careful in having it fully understood that the State of Alabama will under no circumstances evade, impair or destroy any contract right entered into under the sanction of its laws.

Jos. F. Johnston,
Governor.

GOVERNOR'S MESSAGE.

The question being "shall the bill pass notwithstanding the governor's veto.

The bill was lost,

Yeas 0, nays 21.

Nays:

Messrs. President, Brooks, Buchanan, Cunningham, Deens of Covington, Grant, Hall, Hawkins, Hogue, Hollis, Hundley, Kilpatrick, Lee, Matthews, McElderry, Moody, Nolen, Robinson, Smith, Sowell, Walker —21.

MESSAGE FROM THE HOUSE.

Mr. President:

The speaker having signed the following house bills, your signature is requested to the same:

H. 230. To prevent hunting on the lands of another without the consent of the owner of the title in fee simple or of a life estate therein or of his authorized agent in the county of Greene and in beats number 2, 3, 4, 5, 6, 7, 8, 9, 10, 15, 16 and 17 in Hale county, Alabama;

H. 285. To establish and maintain a uniform series of text books for the public schools of the county of Morgan;

H. 310. To regulate and fix the fees of the constables of Winfield beat, No. 14, Guin beat, No. 15, and Pearce's Mills beat, No. 11, in Marion county, Ala.;

H. 337. To establish a county school book board to select a uniform series of text books for use in the public schools in the counties of Sumter and Madison;

H. 793. To amend section 7 of an act approved February 21st, 1893, entitled an act to constitute the city of Wetumpka a separate school district, and to provide a board of education therefor;

H. 452. To authorize and empower the Georgia and Alabama Railway to have as many as fifteen directors:

H. 828. To vacate a part of the plat of certain lands in Jefferson county, made by the Elyton Land Company, a corporation in Jefferson county;

H. 205. To authorize the board of intendent and councilmen of the town of York Station, in Sumter county, to issue bonds of the said town for an amount not exceeding two thousand dollars, for the purpose of building or procuring suitable school buildings for the use of the residents of said town;

Also, with amendment,

H. 278. To establish Blossburgh school district in Jefferson county, Alabama;

H. 957. To amend an act "to establish a board of revenue for Barbour county," approved February 18th, 1895;

H. 106. To establish a county school book board to select a uniform series of text books for use in the public

schools in the county of Winston;

H. 160. To establish a separate school district to be known as the Mount Zion school district, composed of a portion of DeKalb, Marshall and Etowah counties, Alabama;

H. 576. To amend section 1 of an act to prevent hogs from running at large in Madison county, approved February 16th, 1891;

H. 690. To authorize the court of county commissioners of Randolph county to issue bonds for the purpose of erecting a new court house for said county at Wedowee, Alabama, and to levy a tax to liquidate the debt to accrue thereby;

H. 23. To fix the compensation of the tax assessor of Montgomery county and authorize the board of revenue of said county to pay said tax assessor quarterly, such sums of money as said board may deem just and proper to be charged against the fees and commissions earned by him and collected by the tax collector;

H. 291. To adjust and extend the bonded debt of the county of Pickens;

H. 107. For the relief of J. C. Lawrence, of Perry county;

H. 1080. For the improvement of the public roads of Barbour county;

H. 39. To incorporate the West Alabama Male and Female College.

MASSEY WILSON, Clerk.

SIGNING OF HOUSE BILLS.

The president of the senate, in the presence of the senate, immediately after their titles had been publicly read by the secretary, signed the above house bills, the titles of which are set out in the foregoing house message.

REPORTS OF COMMITTEES.

Bills were reported from committees and read a second time as follows:

By Mr. Pettus, from judiciary, favorably—

H. 801. To create a lien for advances to make crops in the county of Monroe, and to provide for enforcing the same;

By Mr. Cunningham, from penitentiary, favorably—

H. 166. To provide for the payment into the fine and forfeiture fund of Jefferson county of all solicitors' fees now forming a part of the general fund of said county, after payment of an appropriation of three thousand dollars per annum, to be paid to assist the solicitor of Jefferson county in suppressing crime, as provided in an act approved February 18th, 1891;

Also,

H. 908. To amend section 10 of an act entitled "an act to regulate the fine and forfeiture fund of Barbour county, and the disposal of moneys arising from fines, forfeitures and convict labor," approved February 6th, 1895;

By Mr. Kilpatrick, from municipal and county organizations, favorably—

H. 549. To amend section 34 of an act entitled an act to create a new charter for the city of Florence, Alabama, approved February 28th, 1889, and to authorize the city of Florence to issue bonds to purchase water-works, and also to give a mortgage on said water-works;

Also,

H. 622. To incorporate the "Central Trust Company" of Mobile;

By Mr. McElderry, from privileges and elections, favorably—

S. 229. To regulate the registration of electors in the State of Alabama;

By Mr. Brewer, from finance and taxation, favorably—

S. 12. To fix the compensation for recording, registration and copying in the office of judge of probate of DeKalb county;

By Mr. Hawkins, from agriculture, favorably—

H. 763. To confer certain powers on the board of control of the Jackson Agricultural College and their successors;

Also, with amendment,

H. 918. To provide for holding elections for the adop-

tion of stock law in Marshall county and to provide for carrying it into effect, when it shall be adopted;

Also, favorably,

H. 976. To authorize the board of control of the Southeast Alabama Agricultural Experiment Station and School to sell and convey the lot and school building thereon, in the town of Abbeville, in Henry county, and to expend the proceeds thereof on the new school building now being erected in said town, or for the improvement of said Experiment Station;

By Mr. Kilpatrick, from municipal and county organizations, favorably—

H. 644. To change the boundary line of the counties of Bullock and Pike;

Also,

H. 941. To amend an act, to incorporate the town of Chulafinnee, in the county of Cleburne;

Also,

H. 504. To reduce the corporate limits of the town of Carrollton, in Pickens county.

BILLS ON THIRD READING.

The bill,

H. 243. For the relief of Lula Houston Terrell and the heirs of the estate of M. J. Houston, deceased,

Was read a third time and passed—yeas, 20, nays, 0.

Yeas:

Messrs. Abercrombie, Boykin, Brooks, Brown, Buchanan, Cunningham, Deens of Covington, Hawkins, Hogue, Hollis, Hundley, Kilpatrick, Lee, Matthews, McElderry, Moody, Nolen, Pettus, Robinson, Walker—20.

The bill,

H. 311. To amend an act entitled an act to amend section 3682 of the code of Alabama, approved February 26th, 1889,

Was read a third time and passed—yeas 19, nays 0.

Yeas:

Messrs. Abercrombie, Brown, Buchanan, Cunningham, Day, Deens of Covington, Grant, Hall, Hawkins, Hogue, Hollis, Hundley, Matthews, McElderry, Nolen,

Robinson, Smith, Sowell, Walker—19.

The bill,

H. 53. To prohibit the sale, giving away, or otherwise disposing of spirituous, vinous, or malt liquors in Calhoun county, Alabama,

Was read a third time and passed—yeas 17, nays 0.

Yeas:

Messrs. President, Abercrombie, Buchanan, Case, Cunningham, Deens of Covington, Hawkins, Hogue, Hollis, Hundley, Matthews, McElderry, Nolen, Pettus, Robinson, Smith, Sowell—17.

The bill,

H. 557. To establish a separate school district in and for the city of Demopolis and police jurisdiction thereof in Marengo county, Alabama, and to provide means to support said separate school district,

Was read a third time and passed.—yeas 20, nays 0.

Yeas:

Messrs. President, Bethune, Boykin,, Brooks, Brown, Buchanan, Cunningham, Day, Deens of Covington, Grant, Hawkins, Hogue, Hollis, Lee, Matthews, McElderry, Nolen, Robinson, Walker—20.

The bill,

H. 313. To incorporate the Independent Fire Company No. 1, of the town of Highland Park,

Was read a third time and passed—yeas 20, nays 1.

Yeas:

Messrs. President, Abercrombie, Bethune, Boykin, Brooks, Brown, Buchanan, Cunningham, Day, Deens of Covington, Grant, Hogue, Hollis, Lee, Matthews, Moody, Nolen, Pettus, Robinson, Walker—20.

Nays:

Mr. McElderry voted no—1.

The bill,

H. 613. To confirm the incorporation and organization of the Merchants Bank, of Florence, Alabama, and to enlarge and increase the powers of said corporation,

Was read a third time and passed—yeas 18, nays 1.

Yeas:

Messrs. President, Abercrombie, Bethune, Boykin, Brooks, Brown, Buchanan, Day, Deens of Covington, Grant, Hawkins, Hogue, Hollis, Kilpatrick, Lee, Mat-

thews, Sowell, Walker—18.

Nays:

Mr. McElderry voted nay—1.

The bill,

H. 250. To allow the presiding judge of the circuit court in any of the counties in the first, third, fourth, sixth, seventh, ninth and thirteenth judicial circuits, and in Cullman county in the eighth judicial circuit, to order the jury box in either of such counties of Dallas, Monroe, Etowah, DeKalb and Mobile, to be refilled when in his opiniou the box has become illegal or irregular and to provide for refilling the box,

Was read a third time and passed—yeas 19, nays 1.

Yeas:

Messrs. President. Abercrombie, Bethune, Brooks, Brown, Cunningham, Deens of Covington, Hall, Hawkins, Hogue, Hundley, Lee, Matthews, McElderry, Nolen, Pettus, Robinson, Smith, Walker—19.

Nays:

Mr. Day voted nay—1.

The bill,

H. 845. To require fire insurance companies doing business in the county of Montgomery, to pay annually, two hundred dollars each to a fund for the benefit of the fire companies of the city of Montgomery, to provide a penalty for a failure or refusal to pay said fund and to regulate the disposition of said fund,

Was read a third time and passed—yeas 23, nays 0.

Yeas:

Messrs. President, Bethune, Boykin, Brewer, Brooks, Brown, Buchanan, Cunningham, Deens of Covington, Grant, Hawkins, Hogue, Hollis, Hundley, Kilpatrick, Lee, Matthews, McElderry, Moody, Nolen, Robinson, Sowell, Walker—23.

The bill,

H. 683. To ratify and confirm the charter of the "Montgomery Infirmary" and to confer additional powers on said corporation,

Was read a third time and passed—yeas 21, nays 0.

Yeas:

Messrs. President, Abercrombie, Bethune, Boykin, Brooks, Brown, Buchanan, Cunningham, Deens of Cov-

ington, Grant, Hall, Hawkins, Hogue, Hundley, Kilpatrick, Lee, Matthews, McElderry, Nolen, Pettus, Smith—21.

The bill,

H. 699. To repeal an act to amend an act for the protection of lands and plantations from depredation by stock in Bullock county, Alabama, approved February 17th, 1885,

Was read a third time and passed—yeas 19, nays 0.

Yeas:

Messrs. President, Abercrombie, Bethune, Boykin, Brooks, Buchanan, Cunningham, Day, Deens, of Covington, Grant, Hawkins, Hogue, Hollis, Kilpatrick, Matthews, McElderry, Nolen, Robinson, Smith—19.

The bill,

H. 62. To incorporate a separate school district known as the Katchum school district,

Was read a third time and passed—yeas 21, nays 0.

Yeas:

Messrs. President, Abercrombie, Bethune, Boykin, Brewer, Brooks, Brown, Buchanan, Cunningham, Day, Deens of Covington, Grant, Hawkins, Hogue, Hollis, Kilpatrick, Lee, Matthews, Nolen, Robinson, Smith—21.

The bill,

H. 525. To prohibit the sale, giving away or disposing of spirituous, vinous or malt liquors or any intoxicating bitters or beverages within one mile of Old Mt. Zion Baptist church, Barbour county,

Was read a third time and passed—yeas 22, nays 0.

Yeas:

Messrs. President, Abercrombie, Bethune, Boykin, Brooks, Brown, Buchanan, Cunningham, Day, Deens of Covington, Grant, Hall, Hawkins, Hogue, Hollis, Matthews, McElderry, Nolen, Robinson, Smith, Sowell, Walker—22.

The bill,

H. 604. To prohibit the sale, giving away, or otherwise disposing of spirituous, vinous or malt liquors or intoxicating bitters at or within two and one-half miles of the Thorp Spring Baptist church, situated in Stouts beat, Franklin county,

Was read a third time and passed—yeas 19, nays 0.

Yeas:

Messrs. President, Abercrombie, Bethune, Boykin, Brooks, Buchanan, Day, Deens of Covington, Grant, Hawkins, Hogue, Hollis, Lee, Matthews, McElderry, Robinson, Smith, Sowell, Walker—19.

s. 367. To compel the repairing of public roads in Geneva, Covington, and Conecuh counties, by persons and corporations injuring the same, and to establish a penalty for their failure to do so,

Was read a third time and passed—yeas 23, nays 0.

Yeas:

Messrs. President, Abercrombie, Bethune, Boykin, Brooks, Buchanan, Day, Deens of Covington, Grant, Hall, Hawkins, Hogue, Kilpatrick, Lee, Matthews, McElderry, Moody, Nolen, Pettus, Robinson, Smith, Sowell, Walker—23.

H. 770. To amend section 2 of an act entitled an act to establish a new charter for the town of Marion, in the county of Perry, approved February 16th, 1870, as amended by act approved February 26th, 1875, and section 3 of said act to establish a new charter for said town, approved February 16th, 1870, as amended by an act approved February 28th, 1887, and section 16 of said act to establish a new charter for the town of Marion, in the county of Perry, approved February 16th, 1870.

Was taken up.

Mr. Hogue offered amendments, which were severally adopted.

The bill, as amended,

Was read a third time and passed—yeas 23, nays 0.

Yeas:

Messrs. President, Abercrombie, Bethune, Boykin, Brooks, Brown, Buchanan, Cunningham, Day, Deens of Covington, Hawkins, Hogue, Hollis, Kilpatrick, Lee, Matthews, McElderry, Nolen, Pettus, Robinson, Smith, Sowell, Walker—23.

The bill,

H. 817. To repeal an act to regulate and provide for the trial of misdemeanors in Washington county, approved December 18th, A. D., 1894; also, to repeal an act to further provide for and regulate the trial of misdemeanors in Washington county, approved February 8,

1895. Also, to repeal section 5 of an act in relation to trials of misdemeanors in Tuskaloosa and other counties therein named so far as the same relates to Washington county, approved March 1st, 1881, and to provide for certain cases now pending in the county court of Washington county,

Was read a third time and passed—yeas 21, nays 0.

Yeas:

Messrs. President, Abercrombie, Boykin, Brown, Buchanan, Cunningham, Day, Deens of Covington, Grant, Hawkins, Hogue, Hollis, Kilpatrick, Lee, Matthews, McElderry, Nolen, Robinson, Smith, Sowell, Walker—21.

The bill

s. 382. To create a separate school district in Cleburne county to be known as "Oak Level School Districit,"

Was read a third time and passed.—yeas 23, nays 0.

Yeas:

Messrs. President, Abercrombie, Bethune, Boykin, Brooks, Brown, Buchanan, Cunningham, Day, Deens of Covington, Grant, Hall, Hogue, Hollis, Kilpatrick, Lee, Matthews, McElderry, Nolen, Robinson, Smith, Sowell, Walker—23.

The bill

H, 349. To establish the Blanch School District in Cherokee county,

Was read a third time and passed.—yeas 20, nays 0.

Yeas:

Messrs. Abercrombie, Bethune, Brooks, Brown, Buchanan, Cunningham, Day, Deens of Covington, Grant, Hall, Hawkins, Hogue, Hollis, Kilpatrick, Matthews, Nolen, Robinson, Smith, Sowell, Walker—20.

The bill

H. 454. To amend an act for the preservation of game animals and birds in Russell county, approved February 21st, 1893,

Was read a third time and passed.—yeas 20, nays 0.

Yeas:

Messrs. Abercombie, Bethune, Brooks, Brown, Buchanan, Cunningham, Day, Deens of Covington, Grant, Hawkins, Hogue, Hollis, Kilpatrick, Lee, Matthews,

Moody, Nolen, Robinson, Smith, Walker—20.

The bill

H. 714. To incorporate the town of Jackson in Clarke county, Alabama,

Was read a third time and passed.—yeas 21, nay 0.

Yeas:

Messrs. President, Abercrombie, Bethune, Brooks, Brown, Buchanan, Cunningham, Deens of Covington, Grant, Hawkins, Hogue, Hollis, Kilpatrick, Lee, Matthews, McElderry, Moody, Nolen, Robinson, Smith, Walker—21.

The bill

H. 376. To authorize the Secretary of State to sell copies of the Code of 1886, now on hand in his office,

Was read a third time and passed.—yeas 20, nays 0.

Yeas:

Messrs. President, Bethune, Brooks, Buchanan, Cunningham, Day, Deens of Covington, Grant, Hall, Hawkins, Hogue, Hollis, Kilpatrick, Matthews, McElderry, Nolen, Robinson, Smith, Sowell, Walker—20

The bill

H. 319. For the relief of D. C. McInnis of Mississippi,

Was read a third time and passed.—yeas 23, nays 0.

Yeas:

Messrs. President, Abercrombie, Brewer, Brooks, Brown, Cunningham, Day, Deens of Covington, Grant, Hall, Hawkins, Hogue, Hollis, Kilpatrick, Lee, McElderry, Moody, Nolen, Pettus, Robinson, Smith, Sowell, Walker—23.

The bill

H. 188. To give physicians a lein upon the personal property of any person for the payment of medicines furnished and services rendered to such such person or his family, not to exceed the sum of ten dollars per year, and to provide for the enforcement of such lien. Provided that the provisions of this act shall not apply to the counties of DeKalb, Monroe, Cleburne, Jefferson, Talladega, Marshall, Cherokee, Montgomery, Chilton, Lee, Franklin, Coosa, Dallas, Colbert, Bullock, Lawrence, Clay, Lamar, Tuskaloosa, Cullman, St. Clair, Conecuh, Shelby, Clarke, Washington, Jackson, Marion, Mobile,

Dale, Henry, Barbour, Baldwin, Walker, Lauderdale, Morgan, Escambia, Loundes, Blount, Limestone, and Geneva, and Greene and Hale,

Was taken up.

The amendment reported by the committee was considered.

Mr. Sayre, (Mr. Brewer presiding), moved to amend the bill by exempting the county of Sumter from the bill.

On motion of Mr. Hundley the bill and amendments were laid on the table—yeas 17, nays 9.

Yeas:

Messrs. President, Boykin, Brewer, Brooks, Buchanan, Deens of Covington, Grant, Hall, Hogue, Hollis, Hundley, Kilpatrick, Lee, Matthews, Moody, Robinson, Smith.—17.

Nays:

Messrs. Abercrombie, Bethune, Brown, Cunningham, Hawkins, McElderry, Nolen, Pettus, Walker—9.

MESSAGE FROM THE HOUSE.

Mr. President:

The house has concurred in the joint resolution:

Relative to the joint meeting of the committee on rules.

MASSEY WILSON,
Clerk.

RECESS.

At 12:55 o'clock P. M. on motion of Mr. Pettus, the senate took a recess until 3:30 o'clock this afternoon.

AFTERNOON SESSION.

The senate re-assembled at 3:30 o'clock P. M., and was called to order by the president.

A quorum was present.

MESSAGE FROM THE HOUSE.

Mr. President:

The speaker has signed the following house bill, to which your signature is requested:

H. 613. To confirm the incorporation and organization of the Merchants Bank, of Florence, Alabama, and to enlarge and increase the powers of said corporation.

MASSEY WILSON,
Clerk.

HOUSE BILL SIGNED.

The president of the senate, in the presence of the senate, immediately after its title had been publicly read by the secretary, signed the above house bill, H. 613, the title of which is set forth in the above house message.

MESSAGE FROM HOUSE.

Mr. President:

The house has non-concurred in the senate amendments to

H. 519. To provide for the permanent location of the county site of Russell county by a vote of the qualified electors of said county, and to provide for the disposition of the court house and jail now located at Seale, in the event the county site is permanently located at Girard, and for other purposes,

And ask for a committee of conference.

The committee on part of the house: Messrs. Knowles, Merrill and Wood of Macon,

And has concurred in the senate amendments to the following house bills:

H. 556. To regulate the running at large of stock in certain portions of Marengo connty;

H. 324. To authorize the court of county commissioners of Calhoun county, to issue and sell bonds of said county, not exceeding seventy-five thousand dollars

for the purpose of paying the outstanding county warrants;

H. 383. To prohibit the sale, giving away or otherwise disposing of spirituous, vinous or malt liquors or intoxicating drinks within five miles of Smith's Chapel, Methodist church and Phillippi church, at Mountainsboro;

H. 517. For the preservation of game in Montgomery county;

H. 794. To authorize the mayor and aldermen of the city of Wetumpka to issue bonds of said city for an amount not to exceed two thousand dollars for the purpose of purchasing lots or real estate, improved or unimproved, to be used for school purposes in said city, and for creating, adding to or improving school buildings and furnishing the same.

H. 370. To establish a uniform series of school books to be taught in the public schools of Lauderdale county, Alabama, and to provide for a board to select the same.

And has originated and passed, and ordered forthwith to the senate without engrossment,

H. 838. To regulate the mining of coal in Alabama.

MASSEY WILSON,
Clerk.

HOUSE MESSAGES.

The house bill in the foregoing house message was read once and referred to appropriate committee as follows:

H. 838, to judiciary.

The senate acceded to the request of the house for a committee of conference on the senate amendment to the house bill 519, the title of which is set out in the foregoing house message.

The president announced as conferees on the part of the senate to be,

Messrs. Boykin, Pettus and Hogue.

The senate next proceeded to consider

The bill,

H. 135. To authorize corporations having the power under their charters, to become sureties on the official bonds of State, county and municipal officers, and of receivers, guardians, administrators, trustees, assignees and executors, and on all bonds or undertakings required in any judicial proceeding, and on all bonds or undertakings required or permitted by the laws of this State, to be executed with sureties; to regulate the giving of such bonds and prescribe the qualifications of such corporations, and to provide for the relief of such corporations from further liability thereon,

Was taken up.

Mr. Pettus offered an amendment as follows:

Amend section 2 by adding at the end thereof the following words, to-wit: Before any such corporation in this section mentioned shall be authorized to become surety on any such bond or undertaking, it must first deposit with the treasurer of this State ten thousand dollars in the bonds of this State or of the United States in trust for the holders of the obligations of such corporation in this State. *Provided*, That such corporation shall be entitled to the interest on the bonds so deposited as it may accrue, to be collected by the treasurer of the State and paid over to such corporation.

Mr. Pettus offered a second amendment as follows:

Amend section 11 by inserting after the word "foreign" the words "or domestic," in the beginning of said section.

Mr. Brown offered a substitute for the first amendment offered by Mr. Pettus, as follows:

Amend section 2 by inserting after the words "become such security" where they appear on line 9 of the 2d page of the engrossed bill, the following words: "Shall deposit with the treasurer of this State fifty thousand dollars of the securities created by the laws of the United States, or by or under the laws of this State, or in other safe, marketable and interest bearing stocks, bonds or other securities, the value of which shall be at or above par, interest for the benefit of the resident holders of the

obligations of such corporation at their market value; and the liabilities of such corporation must not exceed its available assets, which shall be taken to be its capital stock, its outstanding debts and liabilities and a premium reserve equal to fifty per centum of the annual premiums of all outstanding risks in force. And such corporation shall also."

Mr. Boykin demanded the previous question on the bill and pending amendments.

And the main question was ordered to be put.

Mr. Pettus moved to lay on the table the substitute offered by Mr. Brown to his first amendment.

Lost—yeas 10, nays 17.

Yeas:

Messrs. President, Bethune, Buchanan, Day, Deans of Shelby, Lee, McElderry, Pettus, Smith, Walker—10

Nays:

Messrs. Abercrombie, Boykin, Brewer, Brooks, Brown, Cunningham, Grant, Hall, Hawkins, Hogue, Hollis, Hundley, Kilpatrick, Matthews, Moody, Nolen, Robinson—17.

And the substitute offered by Mr. Brown was adopted.

Mr. Brown offered a further amendment, as follows:

Strike out of section 2 of the bill on page 2 the following words: "Which certificate shall be prima facie proof of the solvency and credit of such corporation and of its right to be so accepted as such sole surety and its sufficiency as such."

Which was adopted.

And the second amendment, offered by Mr. Pettus, was adopted.

The bill, as amended, was read a third time and passed—yeas 18, nays 8.

Yeas:

Messrs. President, Abercrombie, Boykin, Buchanan, Cunningham, Day, Deens of Covington, Hall, Hawkins, Hollis, Hundley, Lee, McElderry, Moody, Pettus, Robinson, Smith, Walker—18.

Nays:

Messrs. Bethune, Brewer, Brooks, Brown, Grant, Hogue, Kilpatrick, Nolen—8.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has originated and passed the following bill, and ordered the same forthwith to the senate without engrossment:

H. 1076. To provide for the payment of the costs in the case of The State v. Steve alias Stephen Camp, lately convicted of arson by the city court of Talladega, and who died before sentence was passed.

MASSEY WILSON,
Clerk.

HOUSE MESSAGES.

The house bill in the foregoing house message was read once and referred to appropriate commitee, as follows:

H. 1076, to finance and taxation.

ADJOURNMENT.

At 6:10 o'clock p. m., on motion of Mr. Hogue, the senate adjourned until to-morrow morning at 10 o'clock.

FORTY-THIRD DAY.

Tuesday, February 9th, 1897.

The senate met pursuant to adjournment.

Prayer by the Rev. Mr. Street of the city.

Present:

Messrs. President, Abercrombie, Bethune, Boykin, Brewer, Brooks, Brown, Buchanan, Cunningham, Day, Deans of Shelby, Deens of Covington, Grant, Hall, Hawkins, Hogue, Hollis, Hundley, Kilpatrick, Lee, Matthews, McElderry, Moody, Nolen, Pettus, Robinson, Smith, Sowell, Thomason, Walker—30.

READING OF THE JOURNAL.

On motion of Mr. Hundley the reading of the journal of yesterday was dispensed with, and it was approved.

INTRODUCTION OF BILLS.

On a call of the districts, bills were introduced, read and referred to appropriate committees, as follows:

By Mr. Hollis (by request)—

s. 458. To fix the amount of city licenses on wholesale or retail dealers in spirituous, vinous or malt liquors, within the corporate limits of Jasper, Alabama,

Temperance;

By Mr. Sayre—

s. 459. To incorporate the Montgomery-Elmore Bridge & Improvement Company,

Corporations.

By Mr. Pettus (by request)—

s. 460. To prevent stock from running at large in section 12, township 19, range 11, lying partly in Dallas county and partly in Autauga county, and in all of sections 13, 14, 21, 22, 27, 28, and in the east half of section 15, and in the north half of sections 23, 24, 33 and 34, all in township 19 and range 11, in Dallas county, and in all that part of the southwest quarter of section 18, and in all that part of the northwest quarter of section 19, all in township 19, range 12, lying west of Mulberry creek, in Dallas county,

Judiciary;

By Mr. Pettus—

s. 461. To provide for abstracts of the record in civil cases by consent of parties on appeals to the supreme court of Alabama,

Judiciary;

By Mr. Cunningham—

s. 462. To submit to the people of the State, at the general election to be held on the first Monday in August, 1898, for representatives, for their consideration, an amendment to section 7, article 11, of the constitution, providing a special tax of one half of one per centum for the city of Birmingham, to be applied to the

payment of interest on the bonds of said city, and for a sinking fund to pay off said bonds at the maturity thereof,

Judiciary;

By Mr. Hundley—

s. 463. To authorize the court of county commissioners of Madison county to regulate the weight and tonnage of loaded and empty wagons, and other vehicles passing over the public roads of said county,

Municipal and county organizations;

By Mr. Buchanan—

s. 464. To prohibit the selling or giving away of spirituous, vinous or intoxicating liquors in beat 17 in Coffee County, Alabama,

Temperance;

By Mr. Hundley—

s. 465. To regulate the number of bailiffs in attendance at each term of the circuit court of Madison county,

Judiciary;

By Mr. Thomason—

s. 466. To establish a separate school district to be known as the Roanoke Normal College district in Randolph county.

Education;

By Mr. Hogue—

s. 467. To repeal sections 1120, 1121, 1122, 1123, 1124, 1125, 1126, 1127, 1128, 1129, 1130, 1131, 1132, 1133, 1134, 1135, 1136, 1137, 1138, 1139, 1140, 1141, 1142, and 1143 of the code of 1886,

Commerce and common carriers;

By Mr. Kilpatrick (by request)—

s. 468. To further define general assignments and to prevent the fraudulent disposition of property,

Judiciary;

By Mr. Sayre—

s. 469. To relieve Julia C. Wilson's real property of taxation on condition that the same be used for the establishment of a convalescent home for poor children in the city of Montgomery.

Finance and taxation;

Also,

S. 470. To incorporate the town of Pike Road, in Montgomery county,

Corporations;

MESSAGE FROM THE HOUSE.

Mr. President:

The house has originated and passed the following bill and ordered the same forthwith to the senate without engrossment:

H. 214. To amend section 4 of the act entitled an act to regulate the mode of selecting, drawing and empanneling grand and petit jurors for Mobile county, approved February 20, 1883,

And accedes to the request of the senate for the return to the senate of

H. 680. To confirm the incorporation of Huntsville and Monte Sano Improvement Company and to confer upon it additional powers.

MASSEY WILSON,
Clerk.

HOUSE MESSAGES.

The house bills in the foregoing house message were severally read once and referred to appropriate committees as follows:

H. 214, to judiciary.

RESOLUTION.

Mr. Brewer offered a resolution as follows:

Resolved, That for to-day and to-morrow, only senate bills shall be considered,

Which was referred to rules.

MOTION TO RECONSIDER VOTE.

The motion made by Mr. Abercrombie on Saturday last, to reconsider the vote on passage of the house bill,

H. 680. To confirm the incorporation of Huntsville and Monte Sano Improvement Company and to confer upon it additional powers,

Was taken up.

On motion of Mr. Hogue the motion was laid on the table.

REPORTS OF COMMITTEES.

Bills were reported from committees and read a second time as follows;

By Mr. Pettus from judiciary, favorably, with amendment—

S. 219. To regulate the summoning and attendance of witnesses in civil causes and prescribe the duties of parties to suits and clerks of courts in reference thereto;

Also, favorably,

H. 935. To fix the time of holding the circuit court in Marion county in this State, and to regulate the proceedings in such court;

Also,

H. 1038. To amend the charter of the city of Birmingham, so as to change and establish the time for holding elections for mayor and aldermen of said city, to alter, define and fix the term of office of the present mayor and aldermen of such city, and the mayor and aldermen hereafter to be elected; and to provide for the drawing of lots to determine which of the present aldermen of said city, shall hold for the short term and the long term respectively;

Also,

H. 936. To amend section 1 of an act to regulate the practice and proceedings in civil cases in the circuit courts of Colbert and Lauderdale counties in this State and in the Supreme Court on appeals from judgment rendered in such cases, approved February 18th, 1895;

Also,

H. 827. To authorize the closing and occupancy of a part of Bibb street as the same is designated and laid off according to the plat of the East Birmingham Land Company or its successors in Jefferson county;

Also,

H. 1054. To relieve Katie N. Campbell of Montgomery county, of the disabilities of non-age;

Also,

H. 636. To regulate the ex-officio fees of the sheriffs of Autauga, Bibb and Pickens counties;

Also, with amendment,

H. 809. To amend section 5 of an act entitled an act to provide for the holding of a term of the circuit court of the fifth judicial circuit at Alexander City in Tallapoosa county and to regulate the same, approved February 15th, 1889;

Also, favorably,

H. 1045. To provide for the filling and emptying the jury box or boxes of Tuscaloosa county, and for summoning grand and petit jurors for Tuscaloosa county in certain cases;

Also,

H. 1097. To amend section 3286 of the code of 1876, as re-enacted in an act entitled an act to re-enact sections 3286, 3287 and 3288 of the code of 1876, so far as it relates to Wilcox, Macon, Marengo and Washington counties, approved December 10th, 1886, so far as it relates to Macon county;

Also,

H. 1044. To legalize certain acts of the Christian and Craft Grocery Company of Mobile, a corporation duly organized under the laws of the State of Alabama;

Also,

H. 623. To prohibit within five miles of Brookwood, in Tuscaloosa county, the soliciting or taking of orders to be filled elsewhere, of alchoholic, vinous or malt liquors or other intoxicating drinks or beverages, or fruits preserved in alcoholic liquors;

Also,

H. 767. To repeal an act entitled an act to provide for the appointment of an official stenographer for the circuit and chancery courts in the county of Mobile and the city court of the city of Mobile, and to define his duties and regulate his compensation, approved February 12, 1879, and the act amending said act, approved January 25, 1895;

Also,

H. 592. To authorize the mayor and council of the town of Georgiana to negotiate a loan for the purposes of establishing sanitary sewerage and public water supply in the town of Georgiana, and to issue bonds for the payment of said loan;

Also, with amendment,

H. 900. To make the third week of the circuit court of St. Clair county a non-jury week; to arrange the business of the court for such week, and to limit the sittings of the grand jury of said county;

Also, favorably,

H. 674. To provide for the payment of grand jury certificates heretofore issued by the foreman of grand jury, when the same have been registered, in Madison county;

Also,

H. 736. To authorize and empower the board of education of the city of Birmingham, Alabama, to collect tuition of the pupils of the public schools of said city, residents of the city of Birmingham, Alabama, while attending said schools, to supplement the public school funds of said city for the support and maintenance of the public schools of said city;

By Mr. Brewer from finance and taxation, favorably, with amendment—

H. 844. To exempt from taxation the Wallace school fund held in trust by the township trustees in township seven, range nine, Lawrence county, Alabama, for the benefit of the public schools of said township;

Also, favorably,

H. 433. For the relief of Wm. Deas of Clarke county, Alabama;

Also,

H. 492. For the relief of H. W. Slaughter and the estate of W. H. Slaughter, deceased;

Also,

H. 897. For the relief of the receiver of the Seaboard Railway Company of Alabama;

Also, with amendments,

H. 887. To authorize the levy and collection of a tax upon property within the city of Gadsden, Alabama, or that may be lawfully taxable therein for the mainten-

ance of the public schools of said city;

Also, favorably,

H. 491. For the relief of J. C. Landford, Elizabeth Hunt, Mattie Mooney and Narcissa Durbin of Chilton county, widows of confederate veterans who failed to make applications under an act entitled an act for the relief of needy confederate soldiers and sailors, residents of Alabama, who from wounds or other causes are now unable to earn a livelihood and for the widows of such as were killed or died in said war and have not since remarried. Approved February 13th, 1891;

Also,

H. 877. For the relief of W. H. Edwards and Tony Horn, of Choctaw county;

By Mr. Cunningham, from penitentiary, favorably—

H. 202. To provide guards for the Montgomery county jail;

By Mr. Hogue, from local legislation, favorably, with amendments—

H. 949. To fix and regulate the fees of the register in chancery of Lamar, Jefferson, Tuskaloosa, Russell, Macon, Hale, Chambers, Wilcox, Colbert, Calhoun, Lowndes, Perry, Bibb, Clarke, Washington, Montgomery, Greene, Barbour, Randolph, Morgan, Bullock, Mobile, and Fayette counties;

Also, favorably,

H. 1079. To authorize and empower the board of county commissioners of Tuscaloosa county to pay certain outstanding witness certificates;

Also,

H. 1010. To protect certain birds in Jefferson county;

Also,

H 1002. To authorize the commissioners court of Blount county to levy a tax for working the public roads of said county, and to let out said roads by contract;

Also,

H. 865. To prescribe and define a three wire lawful fence for precinct No. eleven (11), in Morgan county, Alabama;

Also,

H. 747. For the improvement of the public roads in Macon county;

Also,

H. 404. To better provide for the establishment and working of the public roads in Lauderdale county, Alabama.

By Mr. Walker, from public health, favorably, with amendment—

H. 461. To amend sections one and two of an act entitled an act to amend sections one, two and eleven of an act entitled an act to regulate the practice of pharmacy and the sale of poisons in towns and cities of more than One Thousand inhabitants in the State of Alabama, approved February 25th, 1889; and to amend sections four, six, eight and nine of, and to add section sixteen to, an act entitled an act to regulate the practice of pharmacy, and the sale of poisons in cities and towns of more than One Thousand inhabitants in the State of Alabama, approved February 28th, 1887;

By Mr. Abercrombie, from education, favorably—

H. 520. To create a separate school district in beat 1, T. 21 and 22, R. 21, in Tallapoosa county, Ala.;

By Mr. Brewer, from finance and taxation, favorably, with substitute—

H. 726. To make appropriations for additional compensation for the clerk in the office of the secretary of State and for the clerks in the State auditor's office, and for additional clerical assistance therein;

Also, with amendment,

H. 1028. For the relief of Joe Lambert, as tax collector for Wilcox county, Alabama;

Also, with amendment,

H. 682. To provide for the collection of the State and county taxes of the county of Marshall;

Also, with substitute,

H. 688. For the relief of Peter Weir, J. B. Buntin and R. M. Long, of Pickens county;

By Mr. Abercrombie, from education, favorably—

S. 450. To amend section three of an act entitled "an act to amend and revise the charter of the town of Oxanna," approved February 18th, 1891;

Also,

S. 455. To constitute the town of Albertville a separate school district, and to provide for the management

of the public schools of said district;

Also, with substitute,

s. 449. To provide and to regulate the appropriation to the University of Alabama, and to enable deserving and indigent students in the several counties of the State to obtain an education at that institution;

Also, favorably,

H. 938. To create a separate school district in the county of Macon, to be known as the Cross Keys High School District;

By Mr. Moody, from temperance, favorably, with amendment—

s. 456. To prohibit the selling, giving away or otherwise disposing, spirituous or malt liquors, intoxicating beverages, or bitters, or fruits preserved in alcoholic liquors, within six miles, by the most commonly traveled route, of the Dothan High School, except in the town of Dothan, or other incorporated towns or cities;

Also, favorably,

s. 435. To amend sub-division and paragraph 5th of section twenty-six of an act entitled an act to establish a new charter for the city of Calera, approved February, 21st, 1893;

By Mr. Smith, from judiciary, favorably—

s. 440. To confer upon corporations supplying water to cities, towns or villages, the right to buy and acquire or condemn real estate, the acquisition of which may be necessary to prevent the pollution of their water supply;

Also, with amendment,

s. 439. To confer upon persons, firms, and private and municipal corporations, owing, constructing and operating water works in this State for the purpose of supplying water to any city town, municipality or community, or the inhabitants thereof, or for any other public use, the right, power and authority to acquire and take real estate, water rights and easements necessary suitable and proper for such purposes, and prescribing the manner of proceeding in the exercise thereof;

By Mr. Hawkins, from agriculture, favorably—

H. 1030. To prevent stock from running at large in certain portions of Tuscaloosa county.

MESSAGE FROM THE HOUSE.

Mr. President:

The house has originated and passed the following bills:

H. 512. To preserve game, animals or birds in the county of Marshall;

H. 734. To repeal the charter of the town of Woodville in Jackson county:

H. 772. To amend section seventeen (17) and twenty-five (25) of an act approved February 18, 1895, entitled an act to establish a new charter for the city of Anniston;

H. 807. To provide in certain cases for the payment of witnesses who appear before the grand jury of St. Clair county on subpœna or order of any court;

H. 915. To require the commissioners' court of Jefferson county, Alabama, to keep a book of records of roads and to keep an entry of road matters therein;

H. 1040. To authorize, ratify and confirm the schedule of licenses for the city of Birmingham, and the ordinances of the board of mayor and aldermen of said city adopting and establishing the same;

H. 1113. To fix the fees of the circuit clerk of the county of Lamar in criminal cases;

H. 1155. To amend section 3 of an act entitled an act to authorize the commissioners court of Tuscaloosa county to establish districts, in which stock may be prevented from running at large, so as to require a majority of the land owners or freeholders of the entire beat in which the proposed district is situated, instead of the majority of those of the proposed district alone.

H. 1134. To incorporate the town of Newberne, Hale county, Alabama;

H. 1152. To require railroad companies to establish depots in towns of more than one thousand inhabitants;

H. 1058. To change the name of Martha E. Hill, of Autauga county;

H. 913. To repeal an act entitled an act to amend section 6 of an act entitled an act to provide for the making and maintaining the public roads and bridges in Jefferson county, Alabama, approved December 17, 1894.

H. 708. To incorporate the society of United Charities of Birmingham;

H. 894. For the relief of W. H. Roney, clerk of the circuit court of Macon county;

H. 837. To amend sections 2, 3 and 11 of an act entitled an act to establish a normal school for the education of white male and female teachers, at Jacksonville, in Calhoun county, approved February 22, 1883;

H. 966. To provide for the appointment of overseers of public roads in Jefferson county, and to prescribe their duties;

H. 1066. To amend section 2 of an act entitled an act to establish a new charter for the city of Cullman, Alabama, approved December 12th, 1890;

HOUSE MESSAGES,

The house bills in the forgoing house message were severally read once and referred to appropriate committees as follows:

H. 512, 1158, 913, 966, to local legislation;

H. 734, 772, 915, 1040, 1134 to municipal and county orginizations;

H. 807, 1113, 1058, 1066, to judiciary;

H. 1152, to commerce and common carriers;

H. 708, to corporations;

H. 894, 837 to finance and taxation.

MESSAGE FROM THE GOVERNOR.

STATE OF ALABAMA,
EXECUTIVE DEPARTMENT,
MONTGOMERY, Feb., 9th, 1897.

Mr. President:

The governor has approved the following bills which originated in the senate:

Senate bills Nos. 262, 279, 277, 143 and 359.

Very respectfully,
JAMES B. SIMPSON,
Recording Secretary.

RECOMMITMENT OF BILLS.

Mr. Hogue, from the committee on local legislation, returned the bill,

H. 880. To incorporate the Mussel Shoals Power Company;

And asked its reference to the committee on corporations,

It was so referred.

Mr. Abercrombie, from the committee on education, returned the bill,

H. 612. To establish, organized, and maintain a system of public schools in Woodlawn, Jefferson county, Alabama, and to levy and collect tax for the support of said schools,

And asked its reference to the judiciary committee,

It was so referred.

SPECIAL ORDER.

On motion of Mr. Abercrombie, the special order for this hour,

The bill,

S. 284. To regulate the public school system of the State of Alabama,

Was postponed until this afternoon, at 3:30 o'clock and made the continuing special order at that hour.

MESSAGE FROM THE HOUSE.

Mr. President:

The speaker having signed the following house bills, your signature is requested:

H. 250. To allow the presiding judge of the circuit in any of the counties in the first, third, fourth, fifth, sixth, seventh, ninth and thirteenth judicial circuits, and in Cullman county in the eighth judicial circuit, to order the jury box in either of such counties, except, in the counties of Dallas, Monroe, Etowah, DeKalb and Mobile, to be refilled when in his opinion the box has become illegal or irregular and to provide for refilling the box;

H. 557. To establish a separate school district in and for the city of Demopolis and the police jurisdiction thereof in Marengo county, Alabama, and to provide means to support said separate school district;

H. 370. To establish a uniform series of school books to be taught in the public schools of Lauderdale county, Alabama, and to provide for a board to select the same;

H. 525. To prohibit the sale, giving away or disposing of spirituous, vinous, or malt liquors or any intoxicating bitters or beverages within one mile of Old Mt. Zion Baptist Church, Barbour county;

H. 604. To prohibit the sale, giving away, or otherwise disposing of spirituous, vinous or malt liquors or intoxicating bitters at or within two and one-half miles of the Thrope Springs Baptist church, situated in Stouts beat, Franklin county;

H. 324, To authorize the court of county commissioners of Calhoun county, to issue and sell bonds, of said county. not exceeding seventy-five thousand dollars for the purpose of paying the outstanding county warrants;

H. 517. For the preservation of game in Montgomery county;

H. 243. For the relief of Lula Houston Terrell, and the heirs of the estate of M. J. Houston, deceased;

H. 383. To prohibit the sale, giving away or otherwise disposing of spirituous, vinous or malt liquors or other intoxicating drinks within two miles of Smith's Chapel Methodist church and Phillippi church at Mountainboro;

H. 53. To prohibit the sale, giving away, or otherwise disposing of spirituous, vinous or malt liquors in Calhoun county, Alabama;

H. 699. To repeal an act to amend an act for the protection of lands and plantations from depredation by stock in Bullock county, Alabama, approved February 17th, 1885;

H. 311. To amend an act entitled an act to amend section 3682 of the Code of Alabama, approved February, 26th, 1889.

H. 62. To incorporate a separate school district known as the Ketchum school district;

H. 556. To regulate the running at large of stock in certain portions of Marengo county;

H. 313. To incorporate the Independent Fire Company, No. 1, of the town of Highland Park;

H. 319. For the relief of D. C. McInnis of Mississippi;

H. 349. To establish the Blanch School District in Cherokee county;

H. 376. To authorize the Secretary of State to sell copies of the Code of 1886, now on hand in his office;

H. 454. To amend an act for the preservation of game, animals and birds in Russell county, approved February 21st, 1893;

H. 794. To authorize the mayor and aldermen of the city of Wetumpka to issue bonds of said city for an amount not to exceed ten thousand dollars, for the purpose of purchasing lots or real estate, improved or unimproved, to be used for school purposes in said city and for erecting, adding to or improving school buildings and furnishing the same;

H. 817. To repeal an act to regulate and provide for the trial of misdemeanors in Washington county, approved December 18th, A. D., 1894; also to repeal an act to further provide for and regulate the trials of misdemeanors in Washington county, approved February 8, 1895. Also to repeal section 5 of an act in relation to trials of misdemeanors in Tuscaloosa and other counties therein named so far as the same relates to Washington county, approved March 1 st, 1881, and to provide for certain cases now pending in the county court of Washington county,

H. 845. To require insurance companies doing business in the county of Montgomery to pay annually two hundred dollars each to a fund, for the benefit of the fire companies of the city of Montgomery, to provide a penalty for a failure or refusal to pay said fund, and to regulate the disposition of said fund.

H. 770. To amend section 2 of an act entitled an act to establish a new charter for the town of Marion, in the county of Perry, approved February 16th, 1870, as amended by act approved February 26th, 1875,

H. 683. To ratify and confirm the charter of the

"Montgomery Infirmary" and to confer additional powers on said corporation.

MASSEY WILSON,
Clerk.

REPORT FROM THE COMMITTEE ON ENROLLED BILLS.

Mr. Matthews, from the committee on enrolled bills, reports as correctly enrolled the following bill:

S. 266. To authorize the mayor and council of the town of Edwardsville in Cleburne county to issue bonds of said town to the amount of twenty-five hundred dollars for the purpose of purchasing land and erecting thereon, and equipping a school building for the benfit of said town.

HOUSE AND SENATE BILLS SIGNED.

The president of the senate, in the presence of the senate, immediately after their titles had been publicly read by the secretary, sighed the above senate bill, S. 266, the title of which is set out in the foregoing report of the committee on enrolled bills, and also, the house bills, the titles of which are set out in the foregoing house message.

MESSAGE FROM THE HOUSE.

Mr. President:

The house has concurred in the report of the conference committee on the disagreement of the two houses on H. 519. To provide for the permanent location of the county site of Russell county by a vote of the qualified electors of said county, and to provide for the disposition of the court house and jail now located at Seale, in the event the county site is permanently located at Girard, and for other purposes.

MASSEY WILSON,
Clerk.

REPORT OF COMMITTEE OF CONFERENCE.

Mr. Boykin from the committee on conference on the disagreement of the house bill No. 519 submitted the following report:

Mr. President:

The undersigned members of the conference committee on the disagreement of the two houses in reference to amendments made by the senate to house bill No. 519, beg leave to report that the house concur in senate amendment.

W. J. BOYKIN,
W. F. HOGUE,
F. L. PETTUS.
Committee on part of senate.
A. H. MERRILL,
J. R. WOOD,
J. W. KNOWLES.
Committee on part of house.

Which report was concurred in—yeas, 23, nays, 0.

Yeas:

Messrs. President, Abercrombie, Bethune, Brewer, Brooks, Buchanan, Cunningham, Deans of Shelby, Deens of Covington, Grant, Hall, Hogue, Hollis, Hundley, Kilpatrick Matthews, McElderry, Nolen, Pettus, Smith, Sowell, Thomason, Walker—23.

February 18th, 1891;

H. 481. To repeal an act approved December 14, 1894, entitled an act to amend section two of an act entitled an act to amend sections one and twelve of an act entitled an act to regulate the taking of oysters from the public reefs in the State, for sale or planting, approved December 10, 1892, and to repeal an act to regulate the planting and taking of oysters in the waters of this State, approved February 18, 1891, which act was approved February 14th, 1893;

BILLS ON THIRD READING.

The bill,

S. 229. To regulate the registration of electors in the State of Alabama,

Was read a third time and passed—yeas 22, nays 0.

Yeas:

Messrs. President, Abercrombie, Bethune, Boykin, Brewer, Brooks, Brown, Buchanan, Cunningham, Day, Deens of Covington, Grant, Hawkins, Hogue, Hollis, Lee, McElderry, Nolen, Robinson, Smith, Thomason, Walker—22.

The bill,

H. 396. To prohibit the sale or giving away or otherwise disposing of vinous spirituous, or malt liquors or intoxicating bitters or beverages, within beat number ten in Lee county,

Was taken up.

Mr. Boykin offered an amendment, which was adopted.

The bill, as amended, was read a third time and passed—yeas 22, nays 0.

Yeas:

Messrs. President, Abercrombie, Bethune, Boykin, Brewer, Buchanan, Cunningham, Day, Deans of Shelby, Deens of Covington, Grant, Hall, Hawkins, Hogue, Hollis, Hundley, Lee, Matthews, Robinson, Smith, Thomason, Walker—22.

The bill,

H. 694. To prohibit the manufacture, sale or giving away of alcoholic, spirituous, vinous or malt liquors in township 19, range 23 in Tallapoosa county,

Was read a third time and passed—yeas 26, nays 0.

Yeas:

Messrs. President, Abercrombie, Brewer, Brown, Cunningham, Day, Deans of Shelby, Deens of Covington, Grant, Hall, Hawkins, Hogue, Hollis, Hundley, Kilpatrick, Lee, Matthews, McElderry, Moody, Nolen, Pettus, Robinson, Smith, Sowell, Thomason, Walker—26.

The bill,

H. 785. To provide and establish a stock law for Calhoun county.

The amendment reported by the committee was adopted.

Mr. Hall offered an amendment, to include portions of Jackson county in the provisions of the bill.

Which was adopted.

The bill, as amended, was read a third time and passed

—yeas 23, nays 0.

Yeas:

Messrs. President, Abercrombie, Bethune, Boykin, Brooks, Brown, Buchanan, Cunningham, Deens of Covington, Grant, Hall, Hawkins, Hogue, Hollis, Hundley, Kilpatrick, Lee, Matthews, McElderry, Nolen, Pettus, Smith, Thomason--23.

The bill,

H. 651. For the preservation of game animals and birds in the county of Colbert,

Was read a third time and passed—yeas 23, nays 0.

Yeas:

Messrs. President, Abercrombie, Bethune, Brewer, Brown, Buchanan,Cunningham, Deans of Shelby,Deens of Covington, Grant, Hall Hawkins, Hollis, Hundley, Kilpatrick, Lee, McElderry, Nolen, Pettus, Robinson, Smith, Sowell, Thomason—23.

The bill,

H. 382. To provide for the extension of stock law in Clay county,

Was read a third time and passed—yeas 22, nays 0.

Yeas:

Messrs. President, Abercrombie, Bethune, Brewer, Brooks, Buchanan, Cunningham, Deens of Covington, Grant, Hawkins, Hollis, Hundley, Kilpatrick, Lee, Matthews. McElderry, Nolen, Pettus, Robinson, Smith, Sowell, Thomason—22.

The bill,

H. 577. To prevent the obstruction of creeks and streams of running water in Wilcox county by throwing into the same any rocks, brush, logs, and trees,

Was read a third time and passed—yeas 21, nays 0.

Yeas:

Messrs. Abercrombie, Bethune,Brewer,Brooks,Brown, Buchanan,Cunningham,Day,Deens of Covington,Grant, Hall, Hawkins, Hogue, Hundley, Lee, Matthews, Nolen, Pettus, Robinson, Smith, Sowell—21.

The bill,

H. 692. To authorize the commissioners' court of Sumter county in districts where stock are not allowed to run at large at any time of the year, to fix a day on which stock of all kinds may be allowed to run at large,

and also fix a day when they must be taken up,

Was read a third time and passed—yeas 21, nays 0.

Yeas:

Messrs. Bethune, Brown, Buchanan, Cunningham, Day, Deens of Covington, Grant, Hall, Hawkins, Hollis, Hundley, Kilpatrick, Lee, Matthews, McElderry, Moody, Nolen, Pettus, Robinson, Smith, Sowell—21.

The bill,

H. 727. To prevent stock from running at large in beat No. 10 of Hale county,

Was read a third time and passed—yeas 22, nays 0.

Yeas:

Messrs. Abercrombie, Bethune, Brewer, Brown, Buchanan, Cunningham, Day, Deens of Covington, Grant, Hall, Hawkins, Hollis, Kilpatrick, Lee, Matthews, McElderry, Nolen, Pettus, Robinson, Smith, Thomason, Walker—22.

The bill,

H. 501. To amend section 1 of an act entitled an act to amend an act to prohibit stock from running at large in beats number four, five and six, and the southern parts of beats number one and three, and the western part of beat number seven in Macon county, Alabama, approved Feb'ry 18, 1885,

Was read a third time and passed—yeas 22, nays 0.

Yeas:

Messrs, Abercrombie, Bethune, Brooks, Buchanan, Cunningham, Day, Deens of Covington, Grant, Hawkins, Hollis, Hundley, Kilpatrick, Lee, Matthews, McElderry, Nolen, Pettus, Robinson, Smith, Sowell, Thomason, Walker—22.

The bill,

H. 168. To prohibit any person, without legal cause or good excuse from entering upon the enclosed premises of another, in Jefferson county, Alabama,

Was read a third time and lost—yeas 1, nays 23.

Mr. Brooks voted yea—1.

Nays:

Messrs. President, Bethune, Boykin, Brown, Buchanan, Cunningham, Day, Deens of Covington, Grant, Hall, Hawkins, Hollis, Hundley, Kilpatrick, Matthews, Mc-

Elderry, Moody, Nolen, Pettus, Robinson, Sowell, Thomason, Walker—23.

The bill,

H. 474. To amend an act to prevent hunting on land without written consent of owner or his agent in Dallas, Madison, Autauga, Macon, Sumter, Talladega, Bullock and Oak Grove, Perryville and Radfordville, beats of Perry county, and beats number two and nine in Hale county, approved February 18th, 1891,

Was read a third time and passed—yeas 22, nays 1.

Yeas:

Messrs. Bethune, Brewer, Brown, Buchanan, Cunningham, Deans of Shelby, Deens of Covington, Grant, Hall, Hawkins, Hogue, Hollis, Lee, Matthews, McElderry, Nolen, Pettus, Robinson, Smith, Sowell, Thomason, Walker—22.

Mr. Hundley voted nay—1.

The bill,

s. 309. To authorize Hugh Stewart, his heirs and assigns. to establish, maintain and operate a public ferry on the Alabama river, within the police jurisdiction of the city of Montgomery,

Was taken up.

On motion of Mr. Sayre, Mr. Pettus presiding, the last section of the bill was stricken out.

The bill, as amended, was read a third time and passed—yeas 22, nays 0.

Yeas:

Messrs. President, Abercrombie, Bethune, Boykin, Brooks, Buchanan, Cunningham, Day, Deans of Shelby, Deens of Covington, Grant, Hawkins, Hogue, Hollis, Hundley, Matthews, McElderry, Nolen, Robinson, Sowell, Thomason, Walker—22.

The bill,

s. 346. To require the payment of one-half of all statutory penalties into the State treasury, and prescribe the duty of solicitors in reference thereto,

Was read a third time and passed—yeas 18, nays 1.

Yeas:

Messrs. President, Abercrombie, Bethune, Brooks, Buchanan, Case, Cunningham, Deans of Shelby, Deens of Covington, Hall, Hawkins, Hogue, Hundley, Kil-

patrick, McElderry, Pettus, Sowell, Thomason, Walker —18.

Mr. Kilpatrick voted nay—1.

The bill,

s. 342. To amend an act entitled an act to establish a new charter for the city of Huntsville, approved December 9th, 1896.

Mr. Hundley offered an amendment as section 2 of the bill.

Which was adopted.

The bill, as amended, was read a third time and passed—yeas 22, nay 0.

Yeas:

Messrs. President, Abercrombie, Bethune, Brewer, Brooks, Brown, Buchanan, Cunningham, Day, Deans of Shelby, Deens of Covington, Grant, Hall, Hawkins, Hogue, Hundley, Kilpatrick, Matthews, McElderry, Nolen, Robinson, Thomason—22.

The bill,

s. 343. To amend section 3612 of the Code of Alabama,

Was read a third time and lost—yeas 9, nays 7.

Yeas:

Messrs. Grant, Hawkins, Hollis, Kilpatrick, Matthews, McElderry, Sowell, Thomason, Walker—9.

Nays:

Messrs. President, Abercrombie, Brooks, Buchanan, Deens of Covington, Hundley, Nolen—7.

The bill,

s. 374. To further regulate the holding of circuit courts in Clay county, Alabama,

Was read a third time and passed—yeas 19, nays 0.

Yeas:

Messrs. President, Abercrombie, Bethune, Case, Cunningham, Deans of Shelby, Deens of Covington, Grant, Hawkins, Hollis, Hundley, Matthews, McElderry, Nolen, Robinson, Smith, Sowell, Thomason, Walker—19.

The bill,

H. 848. To fix the terms of office of the mayor, aldermen and other city officers of the city of Montgomery,

Was read a third time and passed—yeas 19, nays 0.

Yeas:

Messrs. President, Bethune, Boykin, Buchanan, Cunningham, Day, Deens of Covington, Grant, Hawkins, Hogue, Hollis, Hundley, Kilpatrick, Matthews, Nolen, Robinson, Smith, Sowell, Thomason—19.

The bill,

H. 664. To incorporate the board of lady managers of the Hillman hospital in Birmingham, Alabama, to be known as the board of lady managers of the Hillman hospital,

Was read a third time and passed—yeas 19, nays 0.

Yeas:

Messrs. Abercrombie, Bethune, Boykin, Brooks, Brown, Buchanan, Case, Cunningham, Deens of Covington, Grant, Hall, Hogue, Hollis, Matthews, McElderry, Moody, Sowell, Thomason, Walker—19.

The bill,

H. 771. To confer power on the Opelika board to appropriate money out of the revenues of the district of Opelika to the support of the public schools,

Was read a third time and passed—yeas 21, nays 0.

Yeas:

Messrs. Abercrombie, Bethune, Boykin, Brewer, Brown, Buchanan, Cunningham, Deens of Covington, Grant, Hall, Hawkins, Hogue, Hollis, Matthews, McElderry, Nolen, Robinson, Smith, Sowell, Thomason, Walker—21.

The bill,

H. 762. To amend an act entitled an act to establish the thirteenth judicial circuit of the State of Alabama, to fix the time for holding courts therein, and to provide for the appointment of a solicitor for said circuit, approved February 12th, 1895,

Was read a third time and passed—yeas 18, nays 0.

Yeas:

Messrs. Abercrombie, Boykin, Brooks, Brown, Buchanan, Cunningham, Deens of Covington, Grant, Hawkins, Hogue, McElderry, Nolen, Pettus, Robinson, Smith, Sowell, Thomason, Walker—18.

The bill,

H. 375. To amend an act to better prevent the commission of trespass upon lands in precincts Nos. four,

five, six, seven, eight, nine and fifteen in Hale county, Alabama.

The amendment reported by the committee was adopted.

Mr. McElderry offered an amendment, which was adopted.

And the bill, as amended, was read a third time and passed—yeas 22, nays 0.

Yeas:

Messrs. Abercrombie, Bethune, Boykin, Brooks, Brown, Buchanan, Cunningham, Day, Deans of Shelby, Deens of Covington, Grant, Hall, Hawkins, Hogue, Hundley, Kilpatrick, Matthews, McElderry, Nolen, Smith, Sowell, Walker—22.

The bill,

H. 151. To amend section 2679 of the Code,

Was read a third time and passed—yeas 17, nays 0.

Yeas:

Messrs. Abercrombie, Bethune, Brooks, Buchanan, Cunningham, Grant, Hall, Hogue, Hollis, Kilpatrick, Matthews, McElderry, Nolen, Smith, Sowell, Thomason, Walker—17.

The bill,

H. 693. To declare W. F. Ponder, a liner of the county of Clay, a citizen of the county of Talladega,

Was read a third time and passed—yeas 18, nays 0.

Yeas:

Messrs. Abercrombie, Brooks, Buchanan, Cunningham, Deens of Covington, Grant, Hawkins, Hogue, Hollis, Hundley, Kilpatrick, Matthews, McElderry, Nolen, Smith, Sowell, Thomason, Walker—18.

The bill,

H. 384. To amend section 4 an act entitled an act to more effectually secure competent and well qualified jurors in the several counties of this State, approved February 28th, 1887, so far as the same applies to Fayette county,

Was read a third time and passed.—yeas 22, nays 0.

Yeas:

Messrs. Abercrombie, Bethune, Boykin, Brooks, Buchanan, Cunningham, Day, Deans of Shelby, Deens of Covington, Grant, Hawkins, Hogue, Hollis, Kilpatrick,

Matthews, McElderry, Nolen, Robinson, Smith, Sowell, Thomason, Walker—22.

The bill,

H. 728. To change the name of Oliver Taylor Cummings, a minor, to Oliver Cummings Cooper;

Was read a third time and passed—yeas, 23, nays, 0.

Yeas:

Messrs. Abercrombie, Bethune, Boykin, Brooks, Buchanan, Cunningham, Day, Deans of Shelby, Deens of Covington, Grant, Hawkins, Hogue, Hollis, Hundley, Kilpatrick, Matthews, McElderry, Nolen, Robinson, Smith, Sowell, Thomason, Walker—23.

The bill,

H. 740. To authorize the levy and collection of a tax upon property within the city of Birmingham, Alabama for the maintenance of the public schools of said city;

Was taken up.

Mr. Cunningham offered an amendment as follows:

To strike out "20 cents" where it occurs in the bill and insert in lieu thereof "15 cents,"

Which was adopted.

The bill as amended,

Was read a third time and passed—yeas, 17, nays, 0.

Yeas:

Messrs. Abercrombie, Bethune, Brooks, Brown, Buchanan, Cunningham, Day, Deans of Covington, Hawkins, Hogue, Hollis, Hundley, Kilpatrick, Matthews, Smith, Sowell, Walker—17.

RECESS.

The hour of 1 o'clock P. M. having arrived, the senate took a recess until 3:30 o'clock this afternoon.

AFTERNOON SESSION.

The senate met persuant to adjournment, and was called to order by the president.

A quorum was present.

SPECIAL ORDER.

The special order set for this hour;

The bill,

s. 284. To regulate the public school system of Alabama.

Was taken up.

Mr. Abercrombie offered an amendment which was adopted.

On motion of Mr. Sayre, Mr. Cunningham presiding, the further consideration of the bill was postponed until to-morrow morning.

MESSAGE FROM THE HOUSE.

Mr. President:

The house has concurred in the senate amendments to

H. 135. To authorize corporations, having the power under their charter, to become sureties on the official bonds of State, county and municipal officers, and of receivers, guardians, administrators, trustees, assignees, and executors, and on all bonds, or undertakins, required in any judicial proceeding and on all bonds or undertakings required or permitted by the laws of this State, to be executed with sureties; to regulate the giving of such bonds, and prescribe the qualifications of such corporations, and to provide for the relief of such corporations from further liability thereon.

And requests a committee of conference thereon.

Committee on part of the house:

Messrs. Merrill, Brown of Colbert and Barnes,

And has concurred in the report of the conference committee on the disagreement of the two houses on senate amendment to

H. 519, To provide for the permanent location of the county site of Russell county, by a vote of the qualified electors of said county, and providing for the disposition of the court house and jail now located at Seale, in the event the county site is permanently located at Girard, and for other purposes,

And has concurred in the senate amendment to,

H. 680. To confirm the incorporation of Huntsville and Monte Sano Improvement Company, and to confer upon it additional powers.

MASSEY WILSON,
Clerk.

HOUSE MESSAGES.

The senate acceded to the request of the house for a committee of conference on the senate amendment to the house bill, H. 135.

And the president announced at the conferees on the part of the senate:

Messrs. Brown, Pettus and McElderry.

REPORT FROM COMMITTEE ON RULES.

Mr. Pettus from the committee on rules, submitted the following report:

The committee on rules report as follows:

That the clerks of committes in the senate are hereby put under the orders of the president of the senate, with authority to discharge any or all of them at pleasure; and the president of the senate is hereby authorized to employ any clerical assistance for the secretary of the senate as in his judgment he may deem necessary.

The report was concurred in;

Also, from the same committee reported as follows:

The commiitee on rules report the following as a substitute for the resolution:

That there shall be on to-night a night session, commencing at 7:30 and adjourning at the pleasure of the senate; That there shall be a session on to-morrow afternoon and to-morrow night; the afternoon session convening at 3:30 and adjourning at 6 and the night session at 7:30 and adjourning at pleasure, and at night and afternoon sessions only senate bills on the calendar shall be considered.

The report was concurred in, and the resolution was adopted.

MESSAGE FROM THE HOUSE.

Mr. Pressdent:

The house has originated and passed the following bills:

H. 914. To amend an act entitled an act to provide for the making and maintaining the public roads and bridges in Jefferson county, Alabama, approved December 18th, 1894;

H. 1089. To more effectually secure competent and well qualified jurors in Cullman county, Alabama;

H. 1003. To establish a new charter for the town of Clayton in Barbour county, Alabama.

MASSEY WILSON,
Clerk.

HOUSE MESSAGES.

The house bills in the foregoing house message were severally read once and referred to appropriate committees as follows:

H. 914, to local legislation;

H. 1089, to judiciary;

H. 1003, to municipal and county organizations.

RE-COMMITMENT OF BILL.

On motion of Mr. Abercrombie, the bill,

H. 647. To amend sections 2, 12, 15 and 17 of an act entitled an act to create a new charter for the town Heflin, Cleburne county, Alabama, approved December 12, 1894;

Was re-committed to the committee on municipal and county organizations.

BILLS ON THIRD READING.

The bill,

S. 389. To amend an act entitled an act to provide for the payment of claims against the fine and forfeiture

fund of Tuskaloosa county, approved February 1st, 1895,

Was read a third time and passed—yeas 17, nays 0.

Yeas:

Messrs. Abercrombie, Bethune, Buchanan, Cunningham, Deens of Covington, Grant, Hawkins, Hogue, Hollis, Lee, Matthews, Moody, Nolen, Smith, Sowell, Thomason, Walker—17.

The bill,

s. 390. To dispose of the fees and compensation of the clerk of the circuit court and sheriff of Tuscaloosa county, and to prescribe the mode of compensating said clerk and sheriff,

Was read a third time and passed—yeas 20, nays 0.

Yeas:

Messrs. Abercrombie, Bethune, Boykin, Cunningham, Deens of Covington, Grant, Hall, Hawkins, Hollis, Kilpatrick Lee, Matthews, McElderry, Moody, Nolen, Robinson, Smith, Sowell, Thomason, Walker—20.

The bill,

s. 373. To better provide for the refitting and refurnishing of the office and library of the State superintendent of education of Alabama, with suitable cases, fixtures, files, furniture and appliances, for the records of said office,

Was read a third time and passed.—yeas 18, nays 0.

Yeas:

Messrs. Abercrombie, Bethune, Brooks, Buchanan, Cunningham, Grant, Hall, Hawkins, Hollis, Lee, Matthews, McElderry, Nolen, Robinson, Smith, Sowell, Thomason, Walker—18;

And was ordered to the house without engrossment.

The bill,

s. 349. To amend section one of an act entitled "an act to amend an act entitled an act for the relief of needy Confederate soldiers and sailors residents of Alabama, who from wounds or other causes, are now unable to earn a livlihood, and for the widows of such as were killed or died in said war, and have not since remarried," approved February 18th, 1895,

Was read a third time and passed—yeas 21, nays 0.

Yeas:

Messrs. Abercrombie, Bethune, Brooks, Brown, Cunningham, Day, Deens of Covington, Grant, Hall, Hawkins, Hollis, Lee, Matthews, McElderry, Moody, Nolen, Robinson, Smith, Sowell, Thomason, Walker—21;

And was ordered over without engrossment.

The bill,

s. 353. To amend section 4532 of the Code of 1886,

Was read a third time and passed—yeas 19, nays 0.

Yeas:

Messrs. President, Abercrombie, Bethune, Brooks, Brown, Buchanan, Cunningham, Deens of Covington, Grant, Hawkins, Lee, Matthews, McElderry, Moody, Pettus, Smith, Sowell, Thomason, Walker—19.

The bill,

H. 575. To amend section 84 of an act to regulate the management of State and county convicts, approved February 18th, 1895, so far as relates to Marion and Bibb counties,

Was read a third time and passed—yeas 18, nays 0.

Yeas:

Messrs. President, Abercrombie, Bethune, Brooks, Buchanan, Cunningham, Day, Deans of Shelby, Deens of Covington, Grant, Hogue, Hollis, Kilpatrick, Matthews, McElderry, Robinson, Sowell, Thomason—18.

The bill,

H. 153. To incorporate the town of Clanton, in the county of Chilton, State of Alabama, and to repeal all former charters of said town,

Was read a third time and passed—Yeas 20, nays 0.

Yeas:

Messrs. President, Bethune, Brewer, Brooks, Brown, Buchanan, Cunningham, Day, Deans of Shelby, Deens of Covington, Grant, Hall, Hollis, Kilpatrick, Matthews, McElderry, Robinson, Smith, Thomason, Walker—20.

The bill,

H. 766. To provide for the appointment of an official stenographer for the courts of record of Mobile county, and to define his duties and regulate his compensation.

The amendment reported by the committee was adopted.

Mr. Smith offered an amendment, which was adopted.

The bill, as amended, was read a third time and passed—yeas 22, nays 0.

Yeas:

Messrs. Abercrombie, Bethune, Brooks, Brown, Buchanan, Cunningham, Day, Deans of Shelby, Deens of Covington, Hall, Hawkins, Hogue, Hollis, Kilpatrick, Lee, Matthews, McElderry, Moody, Nolen, Smith, Sowell, Thomason, Walker—22.

The bill,

H. 733. To amend the charter of the town of Scottsboro, in Jackson county,

Was read a third time and passed—yeas 26, nays 0.

Yeas:

Messrs. Abercrombie, Bethune, Brewer, Brooks, Brown, Buchanan, Cunningham, Day, Deans of Shelby, Deens of Covington, Grant, Hall, Hawkins, Hogue, Hollis, Kilpatrick, Lee, Matthews, McElderry, Nolen, Pettus, Robinson, Smith, Sowell, Thomason, Walker—26.

The bill,

H. 667. To amend section two (2) of an act entitled "An act to create a new charter for the city of Florence, Alabama," approved February 28th, 1889.

Was read a third time and passed—yeas 22, nays 0.

Yeas:

Messrs. Bethune, Brooks, Buchauan, Cunningham, Day, Deans of Shelby, Deens of Covington, Grant, Hall, Hawkins, Hogue, Hollis, Kilpatrick, Lee, Matthews, McElderry, Nolen, Robinson, Smith, Sowell, Thomason, Walker—22.

The bill,

H. 534. To incorporate the town of Sulligent, in the county of Lamar, State of Alabama,

Was read a third time and passed—yeas 20, nays 0.

Yeas:

Messrs. Abercrombie, Bethune, Brooks, Buchanan, Cunningham, Day, Deens of Covington, Grant, Hall, Hogue, Hollis, Kilpatrick, Lee, Matthews, McElderry, Nolen, Robinson, Sowell, Thomason, Walker—20.

The bill,

H. 427. To annul, abolish and discontinue the incorporation of the town of Blountsville, in Blount county, to provide for the payment of the outstanding indebtedness of said town and for the sale of its property,

Was read a third time and passed; yeas 18, nays 0.

Yeas:

Messrs. Abercrombie, Bethune, Brown, Cunningham, Day, Deens of Covington, Grant, Hall, Hogue, Hollis, Kilpatrick, Lee, Matthews, McElderry, Moody, Nolen, Robinson, Smith, Thomason—18.

The bill,

H. 465. To require the re-registration of existing claims against the fine and forfeiture fund of Lowndes county, Alabama, and to prescribe the time within which future claims against such fund shall be certified to and registered,

Was read a third time and passed—yeas 21, nays 0.

Yeas:

Messrs. President, Bethune, Brooks, Buchanan, Cunningham, Day, Deens of Covington, Grant, Hawkins, Hogue, Hollis, Kilpatrick, Lee, Matthews, McElderry, Nolen, Pettus, Robinson, Sowell, Thomason, Walker—21.

The bill

H. 247. To provide for the more efficient working of the public roads in Greene county, and for the appointment of district road inspectors for Greene county,

Was taken up.

Mr. Brewer offered to amend the bill by adding, "and Lowndes and Perry" to the body and caption of the bill,

Which was adopted, and the bill, as amended,

Was read a third time and passed—yeas 24, nays 0.

Yeas:

Messrs. Abercrombie, Brewer, Brooks, Brown, Buchanan, Cunningham, Day, Deans of Shelby, Deens of Covington, Grant, Hall, Hawkins, Hogue, Hollis, Kilpatrick, Lee, Matthews, McElerry, Nolen, Pettus, Smith, Sowell, Thomason, Walker—24.

The bill,

H. 1042. To provide for the more efficient working, keeping up, repairing, improving the public roads, and

opening and making new public roads in the county of Morgan; to locate, construct and build, within the limits of said county, a system of public roads of a superior grade, to be known and designated as "county roads,"

Was read a third time and passed—yeas 26, nays 0.

Yeas:

Messrs. Abercrombie, Bethune, Boykin, Brewer, Brooks, Brown, Buchanan, Cunningham, Day, Deans of Shelby, Deens of Covington, Grant, Hall, Hawkins, Hogue, Hollis, Kilpatrick, Lee, Matthews, McElderry, Moody, Nolen, Robinson, Sowell, Thomason, Walker—26.

The bill,

H. 755. To authorize the trustee of Township 16, Range 17, in Montgomery county, to sell the house and lot on Holt street, in the city of Montgomery, now belonging to the township, and to re-invest the proceeds in other school property outside of the city of Montgomery for the use and benefit of the children of said township;

Was read a third time and passed—yeas 26, nays 0.

Yeas:

Messrs. President, Abercrombie, Bethune, Boykin, Brewer, Brooks, Buchanan, Cunningham, Day, Deans of Shelby, Deens of Covington, Grant, Hall, Hawkins, Hollis, Kilpatrick, Lee, Matthews, McElderry, Moody, Nolen, Robinson, Smith, Sowell, Thomason, Walker—26.

The bill,

H. 814. To provide for the compensation of the registrar of voters of Jefferson county,

Was read a third time and passed—yeas 23, nays 0.

Yeas:

Messrs. President, Abercrombie, Bethune, Boykin, Brewer, Brooks, Brown, Buchanan, Cunningham, Deans of Shelby, Deens of Covington, Grant, Hawkins, Hogue, Hollis, Kilpatrick, Lee, Nolen, Robinson, Smith, Sowell, Thomason, Walker—23.

The bill,

H. 639. To authorize the court of county commissioners of Henry county to pay the sheriff and clerk of the circuit court of said county for ex-officio services,

Was read a third time and passed—yeas 23, nays 0.

Yeas:

Messrs. President, Abercrombie, Boykin, Brooks, Buchanan, Cunningham, Day, Deans of Shelby, Deens of Covington, Grant, Hall, Hawkins, Hogue, Hollis, Kilpatrick, Lee, Matthews, McElderry, Robinson, Smith, Sowell, Thomason Walker—23.

The bill,

H. 903. To incorporate the Guarantee Trust and Surety Company,

Was read a third time and passed—yeas 18, nays 0.

Yeas:

Messrs. President, Abercrombie, Bethune, Brewer, Brown, Buchanan, Cunningham, Day, Grant, Hall, Hawkins, Hollis, Lee, Matthews, Pettus, Robinson, Thomason, Walker—18.

The bill

H. 679. To authorize the court of county commissioners of Madison county, to encourage the enlargement of the plant of the Dallas Manufacturing Company in Madison county,

Was read a third time and passed—yeas 25, nays 0.

Yeas:

Messrs. President, Abercrombie, Bethune, Boykin, Brooks, Brown, Buchanan, Cunningham, Day, Deens of Covington, Grant, Hall, Hawkins, Hogue, Hollis, Kilpatrick, Lee, Matthews, Nolen, Pettus, Robinson, Smith, Sowell, Thomason, Walker—25.

The bill,

s. 280. For the relief of A. A. Coleman,

Was taken up.

Mr. Pettus offered an amendment, as follows:

Amend the pending amendment by striking out $5277.78, and inserting in lieu thereof $2500.00.

Pending consideration of which amendment.

The hour of 6 o'clock P. M. arrived, and the senate took a recess until 7:30 to-night, under the rule.

EVENING SESSION.

The senate re-assembled at 7:30 o'clock P. M. and was

called to order by the president.

A quorum was present.

INTRODUCTION OF BILLS.

By leave, Mr. Brown introduced the following bill:

s. 471. To establish a board of revenue in lieu of the court of county commissioners for Cullman county, and to define the powers and duties of said board,

Which was referred to committee on judiciary.

RESOLUTION.

By leave, Mr. Hawkins offered a resolution, as follows:

Resolved, That senate bill No. 333, to establish a Training and Reform School for boys be made a special and continuing order for Thursday after call of standing committees,

Which was referred to committee on rules.

MESSAGE FROM THE HOUSE.

Mr. President:

The house has originated and passed and ordered forthwith to the senate without engrossment:

H. 902. To confer additional powers upon the Birmingham Trust and Savings Co., a body corporate, incorporated under the general laws of the State of Alabama;

H. 174. To provide for the repairing and improvement of the quarantine plant of Mobile bay.

MASSEY WILSON,
Clerk.

HOUSE MESSAGES.

The house bills in the foregoing house message were severally read once and referred to appropriate committees, as follows:

H. 902, to corporations;

H. 174, to finance and taxation.

UNFINISHED BUSINESS.

The senate next considered the unfinished business pending at the hour of recess this afternoon, to-wit:

The bill.

s. 280. For the relief of A. A. Coleman,

Was taken up.

The question pending being the adoption of Mr. Pettus' amendment.

Mr. Pettus moved to postpone the further consideration of the bill and amendments until to-morrow, and to be made a special order at 12 M.

Mr. Hogue demanded the previous question, on the bill and amendments.

And it was ordered to be put.

The motion of Mr. Pettus was lost.

The amendment to the amendment, offered by Mr. Pettus was lost.

The amendment was lost.

The bill,

Was read a third time and was lost.

Yeas 5, nays 19.

Yeas:

Messrs. Brewer, Grant, Lee, Pettus, Smith—5.

Nays:

Messrs. President, Abercrombie, Bethune, Boykin, Brooks, Brown, Buchanan, Day, Deens of Covington, Hall, Hawkins, Hogue, Hollis, McElderry, Moody, Nolen, Robinson, Sowell, Thomason—19.

Mr. Walker was paired with Mr. Cunningham, Mr. Kilpatrick was paired with Mr. Matthews.

The senate proceeded to consider,

BILLS ON THIRD READING.

The bill

s. 380. To regulate the sale of spirituous, vinous and malt liquors in the corporate limits of the town of Roanoke, in Randolph county, Alabama,

Was read a third time and passed.—yeas 22, nays 0.

Yeas:

Messrs. President, Abercrombie, Bethune, Boykin, Brooks, Brown, Buchanan, Cunningham, Day, Deans of Shelby, Deens of Covington, Grant, Hall, Hawkins, Hogue, Hollis, Kilpatrick, McElderry, Moody, Nolen, Smith, Sowell, Thomason—22.

The bill

s. 413. To amend sections 1 and 6 of an act entitled "an act to incorporate the town of Ft. Deposit in the county of Lowndes," approved February 13th, 1891,

Was read a third time and passed.—yeas 20 nays 0.

Yeas:

Messrs. President, Abercrombie, Bethune, Boykin, Brewer, Brooks, Buchanan, Day, Deans of Shelby, Deens of Covington, Grant, Hall, Hawkins, Hogue, Hollis, Kilpatrick, McElderry, Robinson, Sowell, Thomason—20.

The bill

s. 325. To prohibit the adulteration of candies and confectioneries, and the sale or other disposition thereof, and the keeping of adulterated candies and confection eries for sale or other disposition,

Was read a third time and passed.—yeas 17, nays 2.

Yeas:

Messrs. Abercrombie, Bethune, Boykin, Brooks, Deans of Shelby, Deens of Covington, Grant, Hall, Hawkins, Hogue, Hollis, Kilpatrick, McElderry, Moody, Nolen, Sowell, Thomason—17.

Nays: Messrs. Brewer and Day—2.

The bill

s. 331. To prohibit the sale or otherwise disposing of any alcoholic, vinous, or malt liquor or other intoxicating drink within five miles of the Baptist and Methodist churchs at Searight in Crenshaw county, Alabama,

Was read a third time and passed.—yeas 19, nays 0.

Yeas:

Messrs. Abercrombie, Bethune, Boykin, Brooks, Brown, Buchanan, Day, Deans of Shelby, Grant, Hawkins, Hogue, Hollis, Kilpatrick, McElderry, Nolen, Pettus, Robinson, Sowell, Thomason—19.

The bill

s. 408. To authorize the board of the mayor and council of the city of Calera to issue bonds of said

city for an amount not exceeding ten thousand ($10,000.-00) dollars for the purpose of building and furnishing public school buildings in the said city,

Was taken up.

The amendment reported by the committee was adopted,

And the bill as amended was read a third time and passed.—yeas 17, nays 0,

Yeas:

Messrs. Abercrombie, Bethune, Brooks, Buchanan, Day, Deans of Shelby, Deens of Covington, Grant, Hall, Hawkins, Hogue, Hollis, McElderry, Robinson, Smith, Sowell, Thomason—17.

ADJOURNMENT.

At 9:15 o'clock P. M. on motion of Mr. McElderry, the senate adjourdd until to-morrow morning at 10'clock.

FORTY-FOURTH DAY.

Wednesday, February 10th, 1897.

The senate met pursuant to adjournment.

Prayer by the Rev. Mr. Elliot of the city.

Present:

Messrs. President, Abercrombie, Bethune, Boykin, Brewer, Brooks, Brown, Buchanan, Cunningham, Day, Deans of Shelby, Deens of Covington, Grant, Hall, Hawkins, Hogue, Hollis, Hundley, Kilpatrick, Lee, Matthews, McElderry, Moody, Nolen, Pettus, Robinson, Rogers, Smith, Sowell, Thomason, Walker—31.

READING OF THE JOURNAL.

On motion of Mr. Hundley, the reading of the journal of yesterday was dispensed with, and it was approved.

INTRODUCTION OF BILLS.

On a call of districts, bills were introduced, read and referred to appropriate committees, as follows:

By Mr. Pettus—

s. 472. To amend an act to authorize the secretary of state to sell the volumes of the reports of the decesions of the surpreme court of Alabama, now in his possession, approved February 2nd, 1893,

Judiciary;

By Mr. Cunningham—

s. 473. To incorporate the Alabama Steel and Ship Building Company,

Corporations;

By Mr. Sayre—

s. 474. To amend section 2367 (2745) of the Code of Alabama,

Judiciary;

By Mr. Rogers—

s. 475. For the relief of M. H. Caldwell sheriff of Sumter county,

Finance and taxation;

Also,

s. 476. For the relief of David B. Dunlap, a man of unsound mind, authorizing his brother John J. Dunlap, to sell his undivided interest in a tract of land, and use the proceeds in paying his expenses at the Insane Hospital at Tuskaloosa,

Judiciary;

By Mr. Day (by request)—

s. 477. To relieve John T. Hawk of Morgan county, of the bonds of matrimony existing between him and Emily M. Hawk,

Judiciary;

By, Mr. Pettus—

s. 478. To adopt a Code of laws for the State of Alabama,

Special committee composed of the senate members of the Code committee;

Also,

s. 479. To provide for the publication and distribution of the Code of Alabama,

Special committee consisting of the senate members of the Code committee;

By Mr. Moody—

s. 480. To incorporate the Bethel stock law district for the purpose of preventing stock from running at large in said district, situated in Tuskaloosa county, Alabama,

Corporations;

RESOLUTIONS.

Mr Hundley, moved that the committee on privileges and elections be requested to report their action to-morrow morning on s. bill 95, to repeal certain acts regulating elections, commonly known as the Sayre election law, which said bill was referred to said committee on the 20th day of November 1896,

Which was referred to the committee on rules.

Mr. Hundley, further moved that the committee on privileges and elections be requested to report its action to-morrow morning on senate bill number 283, a bill to be entitled act to regulate the appointment of inspectors and other election officials so as to prevent fraud and secure fair elections in the State of Alabama,

Which was, also, referred to the committee on rules.

Mr. Rogers offered a resolution as follows:

Be it resolved by the senate. That senate bill number 449, be made a special order for Thursday at 10:30 o'clock A. M.,

Rfd. to committee on rules.

REPORTS OF COMMITTEES.

Bills were reported from committees and read a second time as follows:

By Mr. Pettus from judiciary, favorably with amendment—

H. 720. To prevent persons in Selma from being convicted twice for the same offense;

Also, adversely,

H. 373. To prevent persons who make loans or advance money or other things value upon cotton or agricultural products to be delivered in the future from ex-

acting or contracting for commissions for selling or storing cotton or other agricultural product not actually grown by the borrower or by his tenants on his own lands or cotton controlled by him, except in the county of Lamar;

Also, favorably,

s. 448. To require public officials in the State of Alabama to be commissioned before entering on the duties of their respective offices and to designate the fee to be paid therefor;

Also,

s. 451. To regulate certificates for the acknowledgment of married women to conveyances where two or more join in the execution thereof;

Also,

s. 465. To regulate the number of bailiffs in attendance at each term of the circuit court of Madison county;

By Mr. Hawkins from agricultural, favorably, with amendments—

s. 425. To prevent stock from running at large in Crenshaw county;

By Mr. Kilpatrick from municipal and county organization, favorably—

s. 463. To authorize the court of county commissioners of Madison county to regulate the weight and tonnage of loaded and empty wagons and other vehicles passing over the public roads of said county.

Also,

H. 414. To amend an act entitled an act to establish a new charter for the town of Attalla, approved February 28th, 1889;

Also,

H. 757. To incorporate the town of Wilsonville in the county of Shelby;

Also,

H. 993. To amend section 15 of an act entitled an act, to establish a charter for the city of Columbiana, in Shelby county, Alabama, approved February 18, 1895;

By Mr. Boykin, from commerce and common carriers, favorably, with amendment—

s. 5. To prohibit the granting of free passage or giving free passage or selling tickets

or passes at a discount, other than as sold to the public generally, by railroad and other transportion companies, their agents, servants or employes, to any member of the general assembly, or to any person holding office under this State or the United States;

Also, with amendment,

s. 375. To amend sections 1 and 3 of an act to incorporate the South Alabama & Gulf Railroad Company, approved February 18th, 1895;

Also, favorably,

s. 369. To require all railroad companies in Alabama to keep guards or watchmen at bridges and trestles;

Also,

H. 1152. To require railroad companies to establish depots in towns of more than one thousand inhabitants;

By Mr. Hogue from local legislation, favorably—

H. 86. To fix the compensation of the members of the board of revenue and road commissioners for Mobile county;

Also,

H. 999. To establish, open, improve, work and keep in good condition the public roads in Autauga county, Alabama;

Also,

H. 966. To provide for the appointment of overseers of public roads in Jefferson county, and to prescribe their duties;

Also, (with amendment),

H. 268. To prevent the destruction of fish in the Coosa river, in Etowah county, by poison, dynamite, or other explosive material, and to prevent the catching of fish for sale in said river, in Etowah county;

Also, favorably,

H. 913. To repeal an act entitled an act to amend section 6 of an act entitled an act to provide for the making and maintaining the public roads and bridges of Jefferson county, Alabama, approved December 17th, 1894;

Also,

H. 1155. To amend section 3 of an act entitled an act to authorize the commissioner's court of Tuscaloosa

county to establish districts in which stock may be prevented from running at large so as to require a majority of the land owners or freeholders of the entire beat in which the proposed district is situated, instead of the majority of those of the proposed district alone;

Also,

H. 512. To preserve game, animals and birds, in the county of Marshall;

Also,

H. 914. To amend an act entitled an act to provide for the making and maintaining the public roads and bridges in Jefferson covnty, Alabama, approved December 18th, 1894;

Also,

H. 979. For the preservation of game and birds in Barbour county;

By Mr. Walker, from corporations, favorably—

H. 902. To confer additional powers upon the Birmingham Trust and Savings Company, a body corporate incorporated under the general laws of the State of Alabama;

Also,

S. 446. To incorporate the Peoples Mutual Fire Insurance company;

Also,

H. 708. To incorporate the Society of United Charities of Birmingham;

Also,

H. 978, To incorporate the Sons and Daughters of Charity Lodge No. 1;

Also,

H. 1034. To incorporate the Eutaw Presbyterian church;

Also,

H. 1090. To incorporate the Home Mutual Fire Insurance Company of Alabama, and to define its rights, powers, franchises and duties:

Also,

H. 905. To confirm the incorporation of the Beauvoir Club of Montgomery, Alabama, and to enlarge the powers and capacities of said club;

Also,

H. 1123. To amend sections 1 and 6 of an act entitled an act to incorporate the town of Fort Deposit, in the county of Lowndes, approved February 13th, 1891.

Also,

H. 646. To change the name of the Barber Memorial Industrial Institute to the Barber Memorial Seminary, and to amend the charter of said corporation;

By Mr. Brewer, from finance and taxation favorably with amendment—

H. 695. To further regulate the issue of license to retail spirituous or vinous liquors, in precinct 12 of Tallapoosa county.

By Mr. Pettus, from judiciary, favorably—

H. 838. To regulate the mining of coal in Alabama;

Also,

H. 214. To amend section 4 of the act entitled an act to regulate the mode of selecting, drawing and empanelling grand and petit jurors for Mobile county, approved February 20, 1883;

Also, with amendment,

S. 462. To submit to the people of the State, at the general election to be held on the first Monday in August, 1898, for representatives for their consideration, an amendment to section seven, article eleven, of the Constitution, providing a special tax of one half of one per centum for the city of Birmingham, to be applied to the payment of interest on the bonds of said city, and for a sinking fund to pay off said bonds at the maturity thereof;

Also, with amendment,

S. 468. To further define general assignments, and to prevent the fraudulent disposition of property;

Also, favorably,

S. 395. To authorize the court of county commissioners of Tuskaloosa county to issue and sell bonds of said county to an amount not exceeding $15,000 for the purpose of paying the interest and principal of the indebtedness incurred in building the present bridge across the Warrior river, at Tuskaloosa, Ala.;

Also, with substitute,

H. 124. For the protection of girls under fourteen years of age;

Also, favorably, with amendment,

H. 299. To regulate the disposition of real estate or any interest therein belonging to the county of Cullman;

Also, with amendment,

H. 438. To amend an act approved February 14th, 1891, entitled an act to fix the times and places of holding the circuit courts in the various counties composing the ninth judicial circuit of the State of Alabama;

Also, favorably,

s. 471. To establish a board of revenue in lieu of the court of county commissioners for Cullman county, and to define the powers and duties of said board;

By Mr. Moody, from temperance, favorably—

s. 454. To prohibit the sale or other disposition of alcoholic, spirituous, vinous or malt liquors or intoxicating bitters or beverages, within ten miles of the Alabama Industrial School building, at Montevallo, in Shelby county, Alabama;

Also,

s. 458. To fix the amount of city licenses on wholesale or retail dealers in spirituous, vinous or malt liquors within the corporate limits of Jasper, Alabama;

Also, with substitute,

s. 464. To prohibit the selling or giving away of spirituous, vinous or intoxicating liquors in beat 17, in Coffee county, Alabama;

Also, favorably,

H. 431. Prohibiting the sale or giving away of any spiritus, vinous or malt liquors within five miles of any school house or church of any denomination in Cherokee county;

Also,

H. 464. To prohibit the sale, giving away, delivering or otherwise disposing of any spiritous, vinous or malt liquors or intoxicating bitters, beverages or drinks within the limits of Chilton county, Alabama;

Also,

H. 560. To prohibit the sale of or giving away or otherwise disposing of spiritous, vinous or malt liquors or intoxicating bitters, beverages or other intoxicating drinks within beat number one (commonly known as Girard beat) in Russell county;

Also,

H. 669. To prohibit the sale, giving away or otherwise disposing of any alcoholic, vinous or malt liquors or other intoxicating drinks or beverages within (3) miles of Wesley's Chapel, in Shoalford beat, in Limestone county. Also beats 5, 6, 7, known respectively as Gilbertsboro, Wickam and Pleasant Grove, in west Limestone;

Also,

H. 811. To prohibit the sale, giving away or otherwise disposing of alcoholic, spirituous, vinous or malt liquors, intoxicating bitters, wines or fruits preserved in such intoxicants, within five miles of the court house in the city or Oneonta, Alabama, and to repeal all laws in conflict with the same;

Also,

H. 862. To regulate the sale of spirituous, vinous and malt liquors within the corporate limits of the town of Lafayette, Alabama.

MESSAGE FROM THE HOUSE.

Mr. President:

The house has originated and passed and ordered to the senate without engrossment

H. 1003. To authorize the auditor to pay out certain monies remaining in the State treasury as part of the relief fund for needy Confederate soldiers and sailors;

H. 717. To authorize Ozark Lodge No. 349 of Free and Accepted Masons within and belonging to the jurisdiction of the Grand Lodge of Free and Accepted Masons of the State of Alabama to issue and sell bonds for the payment of its outstanding debts and to provide for payment thereof and the interest thereof;

H. 790. To incorporate and establish a charter for the town of Elba, in Coffee county;

H. 754. To relieve Franklin Johnson, of Monroe county, Alabama, a minor seventeen years of age, of the disabilities of non-age.

And has concurred in the senate amendment to

H. 375. To amend an act to better prevent the com-

mission of trespass upon lands in precincts Nos. four, five, six, seven, eight, nine and fifteen in Hale county, Alabama.

And has concurred in the senate amendment to

H. 740. To authorize the levy and collection of a tax upon property within the city of Birmingham, Alabama, for the maintenance of the public schools of said city.

And has non-concurred in the senate amendment to

H. 396. To prohibit the sale or giving away or otherwise disposing of vinous, spirituous or malt liquors or intoxicating bitters or beverages within beat number ten in Lee county;

And asks for a committee of conference upon the same.

Committee on part of the house, Messrs. Baker, Merrill and Lloyd.

And has non-concurred in the senate amendments to

H. 785. To provide and establish a stock law for Calhoun county, and asks for a committee of conference upon the same.

Committee on part of the house, Messrs. Bouldin, Coleman and Wood of Macon.

And has originated and passed,

H. 822. To authorize the governor to parole convicts and to regulate the same, and asks the same sent forthwith to the senate without engrossment.

And has adopted the house joint resolution raising a committee of three from the house and three from the senate to fix the time of final adjournment.

Committee on the part of the house, Messrs. Hearn, Mitchell and Barnes.

And has concurred in the senate amendment to

H. 247. To provide for the more efficient working of the public roads in Greene county, and for the appointment of district road inspectors for Greene county.

MASSEY WILSON,
Clerk.

HOUSE MESSAGES.

The house bills in the foregoing house message were read once and referred to appropriate commitee, as follows:

H. 1003, to finance and taxation;
H. 717, 754, to judiciary;
H. 790, to municipal and county organizations;
H. 822, to penitentiary.

The senate acceeded to request of the house for a committee of conference, on the senate amendment, to the house bill number 396. The title of which is set out in the following house message.

The president announced as the conferees on the part of the senate, Messrs. Boykin, Walker, and McElderry.

And the senate also acceeded to the request of the house for a committee of conference on the senate amendment to the house bill number 785. The title of which is set out in the foregoing house message.

And the president appointed as conferee's on the part of the senate,

Messrs. Abercrombie, Thomason and Hall.

The senate concurred in the house joint resolution raising a joint committee to appoint a day of final adjournment of the general assembly.

And the president appointed as committee on the part of the senate,

Messrs. Pettus, Grant, and Deans of Shelby.

SPECIAL ORDERS.

The senate considered the special order set for this morning, being the bill,

S. 280. To regulate the public school system of Alabama.

Mr. Abercrombie offered an amendment to section 5 of the bill, which was adopted.

Mr. Buchanan offered an amendment on page 9, line 35, by striking out "2.00" and inserting "1.00."

Adopted.

Mr. Brown offered an amendment on page 19, line 7, by striking out "established by the authority of," and inserting the words "which have."

Adopted.

Mr. Brown offered a further amendment on page 11, line 76.

Adopted.

Mr. Abercrombie moved to amend section 14 by striking out the words "and Coosa."

Adopted.

Mr. Pettus demanded the previous question on the third reading and passage of the bill.

It was ordered to be put.

The bill,

Was read a third time and passed—yeas 15, nays 9.

Yeas:

Messrs. Abercrombie, Bethune, Boykin, Brooks, Brown, Buchanan, Cunningham, Deens of Covington, Grant, Hawkins, Hollis, Lee, Matthews, McElderry, Thomason—15.

Nays:

Messrs. Day, Deans of Shelby, Hall, Hogue, Kilpatrick, Nolen, Robinson, Rogers, Walker—9.

REPORT OF COMMITTEE ON RULES.

Mr. Pettus from the committee on rules reported favorably, the resolution to make the senate bill number 449, a special order for to-morrow morning at 10:30 o'clock A. M.

The report was concurred in and the resolution was adopted.

BILLS ON THIRD READING.

The bill

H. 801. To create a lien for advances to make crops in the county of Monroe, and to provide for enforcing the same,

Was read a third time and passed.—yeas 28, nays 0.

Yeas:

Messrs. President, Abercrobie, Bethune, Boykin, Brooks, Brown, Buchanan, Cunningham, Day, Deans of Shelby, Deens of Covington, Grant, Hall, Hawkins, Hogue, Hollis, Hundley, Kilpatrick, Lee, Matthews, McElderry, Moody, Nolen, Pettus, Robinson, Smith, Sowell, Thomason—28.

The bill,

H. 805. To amend an act to incorporate the Alabama Mutual Fire Insurance Company, and to define its rights, powers, and franchises, approved January 23d, 1895,

Was read a third time and passed—yeas 19, nays 0.

Yeas:

Messrs. President, Abercrombie, Bethune, Boykin, Buchanan, Cunningham, Day, Deans of Shelby, Deens of Covington, Grant, Hall, Hawkins, Hogue, Kilpatrick, Nolen, Pettus, Smith, Thomason, Walker—19.

The bill,

H. 73. To amend an act entitled "an act to amend an act to provide a fund for the payment of witnessess for the State and other officers, in State cases, in Jackson county, and to prescribe their compensation, approved March 1, 1881; approved February 21st, 1893, and to repeal an act entitled an act to regulate the fine and forfeiture fund of certain counties, approved February 13th, 1879, so far as the some relates to Jackson county,

Was taken up.

The amendment reported by the committee was adopted.

The bill as amended,

Was read a third time and passed.—yeas 23, nays 0.

Yeas:

Messrs. President, Abercrombie, Bethune, Boykin, Brooks, Cunningham, Day, Deans of Shelby, Deens of Covington, Grant, Hall, Hawkins, Hollis, Kilpatrick, Lee, Matthews, Nolen, Pettus, Robinson, Rogers, Sowell, Thomason, Walker—23.

The bill,

H. 935. To fix the time of holding the circuit court in Marion county in this State, and to regulate the proceedings in such court;

Was read a third time and passed—yeas 20, nays 0.

Yeas:

Messrs. President, Abercrombie, Bethune, Brooks, Day, Deans of Shelby, Deens of Covington, Hall, Hawkins, Hogue, Kilpatrick, Lee, Matthews, McElderry, Nolen, Robinson, Smith, Sowell, Thomason, Walker—20.

The bill

H. 936. To amend section 1 of an act to regulate the practice and proceedings in civil cases in the circuit

courts of Colbert and Lauderdale counties in this State and in the Supreme Court on appeals from judgment rendered in such cases, approved February 18th, 1895,

Was read a third time and passed—yeas 17, nays 0.

Yeas:

Messrs. President, Bethune, Boykin, Brooks, Buchanan, Grant, Hall, Hawkins, Hogue, Kilpatrick, Lee, Matthews, Moody, Nolen, Smith, Sowell, Thomason—17.

The bill

H. 469. To incorporate the West Anniston Hose Co., No. 4, located in the city of Anniston, Calhoun county, Alabama,

Was read a third time and passed.—yeas 22, nays 0.

Yeas:

Messrs. President, Abercrombie, Boykin, Brewer, Brown, Buchanan, Cunningham, Day, Deens of Covington, Grant, Hawkins, Hogue, Hollis, Kilpatrick, Lee, Matthews, McElderry, Nolen, Robinson, Smith, Sowell, Thomason—22.

The bill,

H. 928. To authorize Colbert county to build macademized or turnpike roads, and to issue bonds of the county to aid in the construction thereof,

Was taken up.

Mr. Matthews offered amendments by request, providing for an election to be held on the question by the voters of Colbert county,

Which were severally adopted.

The bill, as amended,

Was read a third time and passed.—yeas 25, nays 0.

Yeas:

Messrs. President, Abercrombie, Boykin, Brewer, Brown, Buchanan, Case, Cunningham, Day, Deans of Shelby, Deens of Covington, Hawkins, Hogue, Hollis, Kilpatrick, Lee, Matthews, McElderry, Nolen, Pettus, Robinson, Smith, Sowell, Thomason, Walker—25.

The bill

H. 748. To amend an act entitled an act to amend sections two, five, six and nine, of an act to incorporate the town of Tuskegee in the county of Macon, and for other purposes, approved February 11, 1893,

Was read a third time and passed.—yeas 24, nay 0.

Yeas:

Messrs. President, Abercrombie, Bethune, Brewer, Brooks, Buchanan, Day, Deans of Shelby, Deens of Covington, Grant, Hawkins, Hogue, Hollis, Kilpatrick, Matthews, McElderry, Moody, Nolen, Pettus, Robinson, Smith, Sowell, Thomason, Walker—24.

The bill

H. 524. To amend an act entitled an act to fix the time and place of holding circuit court in the third judicial circuit, approved December 17th, 1894,

Was read a third time and passed.—yeas 22, nays 0.

Yeas:

Messrs. President, Abercrombie, Bethune, Brooks, Buchanan, Day, Deans of Shelby, Deens of Covington, Grant, Hall, Hawkins, Hogue, Hollis, Kilpatrick, Lee, Matthews, McElderry, Nolen, Pettus, Robinson, Smith, Walker—22.

The bill

H. 627. To prohibit the sale or bartering of any spirituous, vinous or malt liquors or intoxicating bitters or beverages within the corporate limits of the town of Clayton in the county of Barbour,

Was taken up.

The amendment reported by the committee was adopted.

Mr. Hawkins offered an amendment which was adopted.

Was read a third time and passed.—yeas 23, nays 0.

Yeas:

Messrs. President, Abercrombie, Bethune, Brewer, Brooks, Brown, Buchanan, Day, Deans of Shelby, Deens of Covington, Grant, Hawkins, Hogue, Hollis, Kilpatrick, Lee, Matthews, McElderry, Nolen, Robinson, Smith, Thomason, Walker—23.

The bill

H. 730. To provide for the election of a mayor and five aldermen for the town of Dothan and to fix the time of election,

Was read a third time and passed—yeas 19, nays 0.

Yeas:

Messrs. President, Bethune, Boykin, Brooks, Buchanan, Day, Deens, of Covington, Grant, Hawkins,

circuit court and prescribe rules of practice and evidence in such cases in the circuit court,

Was read a third time and passed—yeas 16, nays 1.

Yeas:

Messrs. Bethune, Boykin, Brown, Deans of Shelby, Grant, Hawkins, Hogue, Hollis, Kilpatrick, Lee, Nolen, Pettus, Robinson, Smith, Thomason, Walker—16.

Mr. Deens of Covington voted nay—1.

The bill,

s. 436. To amend an act entitled an act to regulate the trial of misdemeanors in Shelby county, approved Dec. 9th, 1896,

Was read a third time and passed—yeas 20, nays 0.

Yeas:

Messrs. Abercrombie, Bethune, Day, Deans of Shelby, Deens of Covington, Grant, Hall, Hawkins, Hogue, Hollis, Kilpatrick, Lee, Matthews, Moody, Nolen, Robinson, Smith, Sowell, Thomason, Walker—20.

The bill,

s. 433. To relieve Martha Leslie Davis from the disabilities of non-age,

Was read a third time and passed—yeas 17, nays 0.

Yeas:

Messrs. Buchanan, Day, Deans of Shelby, Deens of Covington, Hall, Hawkins, Hogue, Hollis, Kilpatrick, Lee, Matthews, McElderry, Nolen, Robinson, Smith, Thomason, Walker—17.

The bill,

s. 434. To relieve Gertrude Davis of Limestone county from the disabilities of non-age,

Was read a third time and passed—yeas 22, nays 0.

Yeas:

Messrs. President, Abercrombie, Bethune, Boykin, Buchanan, Day, Deans of Shelby, Deens of Covington, Grant, Hawkins, Hogue, Hollis, Kilpatrick, Lee, Matthews, McElderry, Nolen, Pettus, Robinson, Smith, Thomason, Walker—22.

REPORT FROM COMMITTEE ON RULES.

Mr. Pettus, from the committee on rules, at 5:15 o'clock P. M., reported a special rule, as follows:

The bill, as amended was read a third time and passed.—yeas 20, nays 0.

Yeas:

Messrs. Abercrombie, Bethune, Brooks, Brown, Buchanan, Day, Deans of Shelby, Deens of Covington, Grant, Hawkins, Hollis, Lee, Matthews, McElderry, Moody, Nolen, Robinson, Smith, Thomason, Walker.—20.

The bill,

s. 407. To authorize and empower the commissioners court of Shelby county, to borrow money in the name and for the use of the county and to bind the county for the payment of the same not exceeding in amount five thousand dollars,

Was read a third time and passed—yeas 20, nays 0.

Yeas:

Messrs. Abercrombie, Bethune, Brooks, Brown, Buchanan, Day, Deans of Shelby, Deens of Covington, Grant, Hall, Hawkins, Hollis, Hundley, Lee, Nolen, Pettus, Robinson, Smith, Thomason, Walker—20.

The bill,

H. 871. To amend an act to declare certain lands in Greene county in this State, now belonging to T. W. Cobb, Mary Cobb, Mary E. Walker, and Amenia J. Upchurch, a district in which stock shall be prevented from running at large, and to provide that the provisions of an act, entitled an act to authorize the commissioners court of Greene county to establish district in which stock may be prevented from running at large, approved February 17th, 1885, shall be applicable to said district, approved February 18, 1891,

Was read a third time and passed.—yeas 17, nay 0.

Yeas:

Messrs. President, Abercrombie, Bethune, Brooks, Brown, Buchanan, Day, Deens of Covington, Grant, Hawkins, Hundley, Lee, Matthews, McElderry, Robinson, Smith, Walker—17.

The bill

H. 490. To appropriate money to reimburse certain insurance companies for amouuts illegally paid, by them, into the State Treasury, under an act approved February 18th, 1893, entitled an act to require all corporations to pay a fee or license, for the use of the State,

before commencing business in this State,

Was read a third time and lost—yeas 6, nays 11.

Yeas:

Messrs. Abercrombie, Day, Hall, Hollis, Hundley, Robinson—6.

Nays:

Messrs. President, Bethune, Buchanan, Hawkins, Lee, McElderry, Nolen, Pettus, Smith, Thomason, and Walker—11.

RECESS.

The hour of 1 o'clock having arrived the senate took a recess until 3:30 o'clock this afternoon.

AFTERNOON SESSION.

The senate reassembled at 3:30 o'clock P. M. and was called to order by the president.

A quorum was present.

REPORT FROM COMMITTEE ON BILLS

The president of the senate, Mr. Hogue presiding, from the committe on rules reported unfavorably.

The resolution by Mr. Hundley offered this morning calling on the committee on privileges and elections for their action on s. 95. To repeal certain acts regulating elections &c.,

And he further moved to lay the resolution on the table.

Carried—yeas 17, nays 10.

Yeas:

Messrs. President, Bethune, Boykin, Brewer, Brown, Cunningham, Grant, Hawkins, Hogue, Kilpatrick, Lee, McElderry, Pettus, Rogers, Smith, Thomason, Walker.—17.

Nays:

Messrs. Brooks, Buchanan, Day, Deans of Shelby, Deens of Covington, Hall, Hollis, Hundley, Nolen, Robinson—10.

Also, from same committee, reported unfavorably, the resolution offered by Mr. Hundley to-day,

Calling on the committee to report to-morrow their action on the bill, s. 283. To regulate the appointment of inspectors of election, etc.

And further moved to lay the resolution on the table.

Carried—yeas 18, nays 10.

Yeas:

Messrs. President, Bethune, Boykin, Brewer, Brown, Cunningham, Grant, Hawkins, Hogue, Kilpatrick, Lee, McElderry, Moody, Pettus, Rogers, Smith, Thomason, Walker—18.

Nays:

Messrs. Brooks, Buchanan, Day, Deans of Shelby, Deens of Covington, Hogue, Hollis, Hundley, Nolen, Robinson—10.

Also, from same committee, reported favorably, with an amendment, the resolution,

To make the senate bill 333 a special order.

The amendment was to make it a special order on Friday, immediately after the call of standing committees.

Which was concurred in and the resolution was adopted.

RECOMMITMENT OF BILLS.

Mr. Brewer, from the committee on finance and taxation, returned the bill,

H. 837. To amend sections 2, 3, 11 of an act entitled an act to establish a normal school for the education of white male and female teachers at Jacksonville, in Calhoun county, approved February 22d, 1883;

And asked its reference to committee on education.

It was so referred.

RESOLUTIONS.

By leave, Mr. Hundley offered a resolution, as follows;

Resolved, That the committee on privileges and elections, to which was referred senate bill No. 360, to provide for the calling of a convention to revise and amend the Constitution of this State, be required to report their action on said bill not later than Friday morning.

Which was referred to committee on rules.

RECONSIDERATION OF VOTE.

On motion of Mr. Hundley, the vote by which the bill,

H. 490. To appropriate money to reimburse certain insurance companies for amounts illegally paid, by them, into the State treasury, under an act approved February 18th, 1893, entitled an act to require all corporations to pay a fee or license, for the use of the State, before commencing business in this State,

Was lost to-day, was reconsidered.

The bill passed—yeas 25, nays 1.

Yeas:

Messrs. President, Bethune, Boykin, Brooks, Brown, Buchanan, Cunningham, Deans of Shelby, Deens of Covington, Grant, Hall, Hawkins, Hogue, Hollis, Hundley, Kilpatrick, Lee, Matthews, McElderry, Moody, Nolen, Robinson, Rogers, Smith, Walker—25.

Mr. Day voted nay—1.

MESSAGE FROM THE HOUSE.

Mr. President:

The house has originated and passed the following bills, and ordered the same forthwith to the senate without engrossment:

H. 1174. To make additional appropriation to pay the expenses of the General Assembly of Alabama for the session of 1896–7;

H. 1181. To pay for articles purchased for the use of the senate and house of representatives and for repairing the senate chamber and hall of the house of representatives, and for repairing and furnishing the rooms of the engrossing and enrolling clerks of the house of representatives;

H. 1105. To amend an act to authorize the secretary of State to sell the volumes of the reports of the decisions of the supreme court of Alabama now in his possession, approved February 2d, 1893.

Also the following engrossed bill:

H. 1130. To prevent stock from running at large in Dallas county.

And has amended as therein shown, and as amended has passed

S. 231. To establish a county court for the county of Cleburne.

MASSEY WILSON,
Clerk.

HOUSE MESSAGES.

The house bills in the foregoing house message were severally read once and referred to appropriate committee as follows:

H. 1174, 1181, to finance and taxation;

H. 1105, 1130, to judiciary.

The senate concurred in the house amendment to the senate bill 231; the title is set forth in the above house message.

Yeas 22, nays 0.

Yeas:

Messrs. Abercrombie, Bethune, Brewer, Brooks, Buchanan, Cunningham, Deans of Shelby, Deens of Covington, Grant, Hall, Hawkins, Hogue, Hollis, Hundley, Lee, Matthews, Nolen, Pettus, Robinson, Smith, Thomason, Walker—22.

The senate next proceeded to consider

BILLS ON THIRD READING.

The bill,

S. 302. To provide for the disbursements of the monies derived from the agricultural department, and paid into the State treasury by the commissioner of agriculture, and the manner in which and the parties to whom said disbursements shall be made,

Was taken up.

The substitute reported by the committee was adopted.

The caption of the substitute is as follows:

To provide for the disbursement of the monies derived from the agricultural department and paid into the State treasury by the commissioner of agriculture, and how said disbursements shall be made, and to make it the duty of the commissioner of agriculture to visit the agricultural schools and stations receiving aid from said fund.

Mr. Hawkins offered an amendment, which was adopted.

The bill, as amended, was read a third time and passed—yeas 17, nays 0.

Yeas:

Messrs. President, Bethune, Boykin, Buchanan, Deans of Shelby, Deens of Covington, Grant, Hawkins, Hogue, Kilpatrick, McElderry, Moody, Nolen, Robinson, Smith, Thomason, Walker—17.

The bill

s. 403. To create a separate school district in Etowah and Calhoun counties, to be known as the Coosa Valley school district,

Was read a third time and passed—yeas 22, nays 0.

Yeas:

Messrs. Abercrombie, Bethune, Brooks, Buchanan, Cunningham, Day, Deens of Covington, Grant, Hawkins, Hogue, Hollis, Hundley, Kilpatrick, Lee, Matthews, Moody, Nolen, Pettus, Robinson, Smith, Thomason, Walker—22.

The bill,

s. 405. To establish a separate school district in Geneva county, Alabama, to be known as the Dundee school district,

Was read a third time and passed.—yeas 20, nays 0.

Yeas:

Messrs. President, Bethune, Boykin, Brooks, Brown, Buchanan, Cunningham, Day, Deens of Covington, Grant, Hall, Hogue, Hollis, Kilpatrick, Matthews, Moody, Nolen, Pettus, Robinson, Thomason—20.

The bill,

s. 416. To amend section 4 of an act entitled an act

to establish a board of revenue for Barbour county, approved February 18th, 1895,

Was read a third time and passed.—yeas 23, nays 0.

Yeas:

Messrs. President, Abercrombie, Bethune, Boykin Brewer, Brooks, Brown, Buchanan Cunningham, Deens of Covington, Grant, Hall, Hawkins, Hogue, Hundley, Kilpatrick, Matthews, McElderry, Nolen, Robinson, Smith, Thomason, Walker—23.

The bill,

s. 417. To amend an act approved February 12, 1879, entitled "an act to establish the Warrior Agricultural District," to provide for the securing of the same, and the management of its affairs,

Was read a third time and passed—yeas 20, nays 0.

Yeas:

Messrs. Abercrombie, Bethune, Boykin, Brewer, Cunningham, Day, Deans of Shelby, Deens of Covington, Grant, Hall, Hawkins, Hogue, Hollis, Kilpatrick, Matthews, McElderry, Nolen, Robinson, Smith, Walker—20.

The bill,

H. 1038. To amend the charter of the city of Birmingham, so as to change and establish the time for holding elections for mayor and aldermen in said city. To alter, define and fix the term of office of the present mayor and aldermen of such city, and the mayor and aldermen hereafter to be elected; and to provide for the drawing of lots to determine which of the present aldermen of said city shall hold for the short term and the long term respectively,

Was read a third time and passed.—yeas 21, nays 0.

Yeas:

Messrs. Abercrombie, Bethune Boykin, Brewer, Brown, Buchanan, Cunningham, Day, Deans of Sheby, Grant, Hall, Hawkins, Hogue, Hollis, Lee, Matthews, McElderry, Nolen, Robinson, Smith, Walker—21.

The bill,

s. 420. To prescribe the manner of filling vacancies in the office of mayor and aldermen of the city of Birmingham,

Was read a third time and passed.—yeas, 18 nays 0.

Yeas:

Messrs. Abercrombie, Cunningham, Day, Deans of Shelby, Deens of Covington, Grant, Hall, Hawkins, Hogue, Hollis, Kilpatrick, Lee, Matthews, McElderry, Nolen, Pettus, Thomason, Walker—18.

The bill,

s. 391. To repeal an act entitled an act to regulate the trial of misdemeanors in St. Clair county, Alabama, approved 18th Feb., 1891,

Was read a third time and passed.—yeas 22, nays 0.

Yeas:

Messrs. Abercrombie, Bethune, Boykin, Brooks, Buchanan, Cunningham, Day, Deans of Shelby, Deens of Covington, Grant, Hall, Hawkins, Hogue, Hollis, Kilpatrick, Matthews, McElderry, Nolen, Robinson, Smith, Thomason, Walker—22.

The bill

s. 399. To amend an act entitled "an act to fix the time and to define the terms for holding the circuit court in the several counties of the tenth judicial circuit,

Was read a third time and passed—yeas 22, nays 0.

Yeas:

Messrs. Abercrombie, Bethune, Boykin, Brooks, Buchanan, Cunningham, Day, Deans of Shelby, Deens of Covington, Grant, Hall, Hawkins, Hogue, Hollis, Kilpatrick, Lee, Matthews, Nolen, Robinson, Smith, Thomason, Walker—22.

The bill,

s. 400. To amend section 4 of an act entitled an act to amend an act entitled an act to establish the city court of Birmingham, approved December 9th, 1884,

Was read a third time and passed—yeas 24, nays 0.

Yeas:

Messrs. Abercrombie, Bethune, Boykin, Brooks, Buchanan, Cunningham, Day, Deans of Shelby, Deens of Covington, Grant, Hall, Hawkins, Hogue, Hollis, Kilpatrick, Lee, Matthews, McElderry, Nolen, Pettus, Robinson, Smith, Thomason, Walker—24.

The bill,

s. 307. To amend section 2732 of the code of Alabama,

Was read a third time and passed—yeas, 17, nays, 0.

Yeas:

Messrs. Abercrombie, Bethune, Boykin, Brewer, Buchanan, Cunningham, Deans of Shelby, Deens of Covington, Grant, Hall, Hawkins, Hogue, Hollis, Kilpatrick, Matthews, Thomason, Walker—17.

The bill,

s. 426. To incorporate the Commercial Club of Selma, Ala.,

Was read a third time and passed—yeas 17, nays 1.

Yeas:

Messrs. President, Abercrombie, Bethune, Brewer, Cunningham, Deens of Covington, Grant, Hall, Hawkins, Hogue, Hollis, Matthews, Pettus, Robinson, Smith, Thomason, Walker—17.

Mr. Deans of Shelby, voted nay—1.

The bill,

s. 429. To incorporate the Southwestern Life and Trust Company, and defining its business and powers,

Was read a third time and passed—yeas 18, nays 0.

Yeas:

Messrs. President, Abercrombie, Bethune, Buchanan, Cunningham, Deans of Shelby, Deens of Covington, Grant, Hall, Hawkins, Hogue, Hollis, Kilpatrick, Matthews, Nolen, Smith, Thomason, Walker—18.

The bill,

s. 423. To relieve Lou Ellen Callaway and Mary Edna Callaway of the disabilities of non-age,

Was taken up.

Mr. Sayre, Mr. Hogue presiding, moved to amend the bill and caption of bill by striking out Lou Ellen Calloway:

Adopted.

The bill, as amended,

Was read a third time and passed—yeas 18, nays 0.

Yeas:

Messrs. President, Buchanan, Cunningham, Deans of Shelby, Deens of Covington, Grant, Hall, Hawkins, Hogue, Hollis, Kilpatrick, Lee, Matthews, Nolen, Robinson, Smith, Thomason Walker—18.

The bill,

s. 447. To provide for the removal of suits of unlawful detainer and forcible entry and detainer from the courts of justice of the peace and other officers to the

circuit court and prescribe rules of practice and evidence in such cases in the circuit court,

Was read a third time and passed—yeas 16, nays 1.

Yeas:

Messrs. Bethune, Boykin, Brown, Deans of Shelby, Grant, Hawkins, Hogue, Hollis, Kilpatrick, Lee, Nolen, Pettus, Robinson, Smith, Thomason, Walker—16.

Mr. Deens of Covington voted nay—1.

The bill,

s. 436. To amend an act entitled an act to regulate the trial of misdemeanors in Shelby county, approved Dec. 9th, 1896,

Was read a third time and passed—yeas 20, nays 0.

Yeas:

Messrs. Abercrombie, Bethune, Day, Deans of Shelby, Deens of Covington, Grant, Hall, Hawkins, Hogue, Hollis, Kilpatrick, Lee, Matthews, Moody, Nolen, Robinson, Smith, Sowell, Thomason, Walker—20.

The bill,

s. 433. To relieve Martha Leslie Davis from the disabilities of non-age,

Was read a third time and passed—yeas 17, nays 0.

Yeas:

Messrs. Buchanan, Day, Deans of Shelby, Deens of Covington, Hall, Hawkins, Hogue, Hollis, Kilpatrick, Lee, Matthews, McElderry, Nolen, Robinson, Smith, Thomason, Walker—17.

The bill,

s. 434. To relieve Gertrude Davis of Limestone county from the disabilities of non-age,

Was read a third time and passed—yeas 22, nays 0.

Yeas:

Messrs. President, Abercrombie, Bethune, Boykin, Buchanan, Day, Deans of Shelby, Deens of Covington, Grant, Hawkins, Hogue, Hollis, Kilpatrick, Lee, Matthews, McElderry, Nolen, Pettus, Robinson, Smith, Thomason, Walker—22.

REPORT FROM COMMITTEE ON RULES.

Mr. Pettus, from the committee on rules, at 5:15 o'clock P. M., reported a special rule, as follows:

That the session be extended to-night until 7 o'clock for the purpose of disposing of senate bills on the calendar, and that there be no night session.

The report was concurred in and the rule adopted.

The bill,

s. 441. To punish any person who pollutes or contaminates water supplied to cities and towns of the State,

The amendment reported by the committee was adopted.

The bill, as amended, was read a third time and passed —yeas 19, nays 0.

Yeas:

Messrs. Abercrombie, Bethune, Buchanan, Cunningham, Day, Deens of Covington, Grant, Hall, Hawkins, Hogue, Hollis, Kilpatrick, Lee, Matthews, Nolen, Robinson, Smith, Thomason, Walker—19.

The bill,

s. 402. To amend section 2 of an act approved February 10th, 1891, incorporating the city of Ashville in St. Clair county, Alabama,

Was read a third time and passed—yeas 19, nays 0.

Yeas:

Messrs. President, Abercrombie, Bethune, Buchanan, Cunningham, Day, Grant, Hall, Hawkins, Hogue, Hollis, Kilpatrick, Lee, Matthews, Nolen, Robinson, Smith, Thomason, Walker—19.

The bill,

s. 431. To authorize the Adams Street Baptist Church of Montgomery, Alabama, to borrow the sum of fifteen hundred dollars, and to secure the payment of the same by a mortgage upon the real estate belonging to the said church,

Was read a third time and passed—yeas 19, nays 0.

Yeas:

Messrs. President, Bethune, Boykin, Buchanan, Cunningham, Day, Deens of Covington, Grant, Hall, Hawkins, Hogue, Hollis, Kilpatrick, Matthews, Nolen, Robinson, Smith, Thomason, Walker—19.

The bill,

s. 341. To ratify and confirm the charters of the National Building and Loan Association of Montgomery,

Ala., and the Banking, Building and Loan Company of Montgomery, Ala., corporations duly organized and existing under the general laws of the State of Alabama, and to authorize them to issue paid up stock, and loan money to their members,

Was taken up.

On motion of Mr, Sayre, Mr. Hogue presiding, the National Building and Loan Association of Montgomery, Ala.,was stricken out of the captien and body of the bill.

The bill, as amended, was read a third time and passed —yeas 18, nays 0.

Yeas:

Messrs. President, Abercrombie, Bethune, Buchanan, Day, Deans of Shelby, Deens of Covington, Grant, Hall, Hawkins, Hogue, Hollis, Matthews, Nolen, Rogers, Smith, Thomason, Walker—18.

The bill,

s. 394. To regulate trials in civil causes in courts of justice of the peace and notaries public who are ex-officio justice of the peace in Fayette county,

Was read a third time and passed—yeas 21, nays 0.

Yeas;

Messrs. Abercrombie, Bethune, Brown, Cunningham, Day, Deens of Covington, Grant, Hawkins, Hogue, Hollis, Kilpatrick, Lee, Matthews, Moody, Nolen, Pettus, Robinson, Rogers, Smith, Thomason, Walker—21.

The bill,

s. 438. To confer additional powers on the trustees of the Alabama Central Female College, located at Tuskaloosa, Alabama,

Was read a third time and passed—yeas 21, nays 0.

Yeas:

Messrs. President, Abercrombie, Bethune, Brown, Cunningham, Day, Deans of Shelby, Deens of Covington, Grant, Hall, Hawkins, Hogue, Hollis, Kilpatrick, Matthews, Moody, Nolen, Robinson, Smith, Thomason, Walker—21.

The bill,

s. 445. To establish a separate school district to be known as the Union School District, in Blount county, Alabama,

Was read a third time and passed—yeas 20, nays 0.

Yeas:

Messrs. President, Abercrombie, Bethune, Brown, Buchanan, Day, Deens of Covington, Grant, Hawkins, Hogue, Hollis, Kilpatrick, Lee, Matthews, Nolen, Robinson, Rogers, Smith, Thomason, Walker—20.

The bill,

s. 437. To create a separate school district in the county of Franklin, to be called the Burleson public school district and to define the boundaries thereof,

Was read a third time and passed—yeas 18, nays 0.

Yeas:

Messrs. President. Bethune, Buchanan, Cunningham, Deans of Shelby, Deens of Covington, Grant, Hawkins, Hogue, Hollis, Kilpatrick, Matthews, Nolen, Pettus, Robinson, Rogers, Smith, Thomason—18.

The bill,

s. 419. To authorize, ratify and confirm the schedule of licenses for the city of Birmingham, for the year 1897, and the ordinances of the board of mayor and aldermen of said city, adopting and establishing the same,

Was read a third time and passed—yeas 21, nays 0.

Yeas:

Messrs. President, Abercrombie, Bethune, Brown, Buchanan, Cunningham, Deans of Shelby, Deens of Covington, Grant, Hawkins, Hogue, Hollis, Kilpatrick, Lee, Matthews, Moody, Nolen, Pettus, Smith, Thomason, Walker—21.

The bill,

s. 422. To provide for the collection of local assessments for public improvements of the mayor and aldermen of Birmingham,

Was read a third time and passed—yeas 21, nays 0.

Yeas:

Messrs. President, Abercrombie, Bethune, Boykin, Brooks, Buchanan, Cunningham, Day, Deens of Covington, Hawkins, Hogue, Hollis, Kilpatrick, Matthews, Moody, Nolen, Pettus, Robinson, Smith, Thomason, Walker—21.

The bill,

s. 442. To authorize the board of intendent and councilmen of the town of Abbeville, Henry county, to

issue and negotiate bonds of said town, to an amount not exceeding four thousand dollars for the completion and equipping of the Southeast Alabama Agricultural School building now being erected in said town. And to provide for the interest and principal of said bonds,

Was read a third time and passed—yeas 20, nays 0.

Yeas:

Messrs. President, Abercrombie, Bethune, Buchanan, Cunningham, Day, Deens of Covington, Grant, Hall, Hawkins, Hogue, Hollis; Kilpatrick, Matthews, Nolen, Pettus Robinson, Smith, Thomason, Walker—20.

The bill,

s. 12. To fix the compensation for recording, registration and copying in the office of judge of probate of DeKalb county.

The amendment reported by the committee was adopted.

The bill, as amended, was read the third time and passed—yeas 18, nays 0.

Yeas:

Messrs. President, Abercrombie, Bethune, Brewer, Buchanan, Cunningham, Day, Deans of Shelby, Deens of Covington, Grant, Hawkins, Hogue, Hollis, Pettus, Robinson, Smith, Thomason, Walker—18.

The bill,

s. 219. To regulate the summoning and attendance of witnesses in civil causes and prescribe the duties of parties to suits and clerks of courts in reference thereto,

Was taken up.

The substitute reported by the committee, limiting the operation of the bill to the counties of Blount, Cullman and Winston,

Was adopted.

The bill, as amended, was read a third time and passed—yeas 21; nays, 0.

Yeas:

Messrs. Abercrombie, Bethune, Boykin, Brewer, Brown, Buchanan, Cunningham, Day, Deans of Shelby, Deens of Covington, Grant, Hawkins, Hogue, Hollis, Kilpatrick, Matthews, Pettus, Robinson, Smith, Thomason, Walker—21.

The bill,

s. 450. To amend section three of an act entitled "an act to amend and revise the charter of the town of Oxanna," approved February 18th, 1891,

Was read a third time and passed—yeas 21, nays 0.

Yeas:

Messrs. President, Abercrombie, Bethune, Boykin, Brewer, Brown, Cunningham, Day, Deens of Covington, Grant, Hall, Hawkins, Hogue, Hollis, Kilpatrick, Matthews, Nolen, Pettus, Smith, Thomason, Walker—21.

The bill,

s. 455. To constitute the town of Albertville a separate school district, and to provide for the management of the public schools of said district,

Was read a third time and passed—yeas 20, nays 0.

Yeas:

Messrs. Abercrombie, Bethune, Brewer, Brown, Buchanan, Cunningham, Day, Deens of Covington, Grant, Hawkins, Hogue, Hollis, Matthews, Moody, Nolen, Pettus, Robinson, Smith, Thomason, Walker—20.

The bill,

s. 435. To amend sub-division and paragraph 5th of section twenty-six of an act entitled an act to establish a new charter for the city of Calera, approved February, 21st, 1893,

Was read a third time and passed—yeas 20, nays 0.

Yeas:

Messrs. President, Abercrombie, Bethune, Buchanan, Cunningham, Day, Deens of Covington, Grant, Hawkins, Hogue, Hollis, Kilpatrick, Matthews, Moody, Nolen, Pettus, Robinson, Smith, Thomason, Walker—20.

The bill.

s. 440. To confer upon corporations supplying water to cities, towns or villages, the right to buy and acquire or condemn real estate, the acquisition of which may be necessary to prevent the pollution of their water supply,

Was read a third time and passed—yeas 18, nays 0.

Peas:

Messrs. President, Brewer, Buchanan, Cunningham, Day, Deens of Covington, Grant, Hawkins, Hogue,

Hollis, Kilpatrick, Moody, Nolen, Pettus, Robinson, Smith, Thomason, Walker—18.

The bill,

s. 439. To confer upon persons, firms, and private and municipal corporations, owing, constructing and operating water works in this State for the purpose of supplying water to any city town, municipality or community, or the inhabitants thereof, or for any other public use, the right, power and authority to acquire and take real estate, water rights and easements necessary suitable and proper for such purposes, and prescribing the manner of proceeding in the exercise thereof,

The amendment reported by the committee, limiting the provisions of the bill to Montgomery county alone,

Was adopted, and the caption was accordingly amended.

The bill as amended was read a third time and passed—yeas 20, nays 0.

Yeas:

Messrs. President, Bethune, Brooks, Buchanan, Cunningham, Day, Deens of Covington, Grant, Hawkins, Hogue, Hollis, Kilpatrick, Matthews, Moody, Nolen, Pettus, Robinson, Smith, Thomason, Walker—20.

ADJOURNMENT.

At 5:53 o'clock, on motion of Mr. Hogue, the senate adjourned until to-morrow morning.

FORTY-FIFTH DAY.

Thursday February, 11th, 1897.

The senate met pursuant to adjournment.

Prayer by the Rev. Mr. Smith of the house.

Present:

Messrs. President, Abercombie, Bethune, Boykin, Brewer, Brooks, Brown, Buchannan, Cunningham, Day, Deans of Shelby, Deens of Covington, Grant, Hall, Hawkins, Hogue, Hollis, Hundley, Kilpatrick, Lee, Mat-

thews, McElderry, Moody, Nolen, Pettus, Robinson, Rogers, Smith, Sowell, Thomason, Walker—32.

READING OF JOURNAL.

The reading of the journal of yesterday was dispensed with, on motion of Mr. Hundley, and it was approved.

INTRODUCTION OF BILL.

On the call of the districts, bills were introduced, read and refered to appropriate committees, as follows:

By Mr. Brown, (by request)—

s. 481. To authorize and legalize the manufacture and sale of wines made of grapes and berries in Walker county, Alabama,

Temperance;

By Mr. Thomason—

s. 482. To prevent stock from running at large in sections twenty-eight and thirty-three, township twenty, range ten in Randolph county,

Local legislation;

By Mr. Cunningham—

s. 483. To regulate the profits and commissions on goods, wares, merchandise or any kind of personal property sold to or bartered or exchanged with employees of or contractors with any person, firm, company or corporation engaged in mining or manufacturing in Jefferson county, Alabama,

Corporations;

Also.

s. 484. To amend section 3 of an act entitled an act to change the name of the town of Pratt Mines, in Jefferson county, and establish a new charter therefor,

Municipal and county organization;

By Mr. Hundley—

s. 485. To amend section 12 of an act entitled an act to provide for the more efficient assessment and collection of taxes in the State of Alabama, approved February 3rd, 1897,

Finance and taxation;

By Mr. Bethune, (with notice)—

s. 486. To relieve Alice Phillips, a minor under 18 years of age of the disibilities of non-age,

Judiciary;

By Mr. Matthews—

s. 487. To amend an act to incorporate the town of Hamilton, in Marion county and the State of Alabama, approved Dec. 5th, 1896,

Corporation;

By Mr. Deans of Shelby—

s. 488. To amend an act to prohibit, stock from running at large in beats 1, 2, 3, 4, 5, 6, 7, 8, 11, 12, 13 and 15 Elmore county, Ala., approved January 28th, 1897,

Agriculture;

By Mr. Day—

s. 489. To repeal an act entitled an act to provide for the more efficient assessment and collection of taxes in the State of Alabama, approved February 1897,

Judiciary;

MESSAGE FROM THE HOUSE.

Mr. President:

The speaker having signed the following house bills, your signature is requested to the same;

H. 680. To confirm the incorporation of Huntsville and Monte Sano Improvement Company, and to confer upon it additional powers;

H. 728. To change the name of Oliver Taylor Cummings, a minor, to Oliver Cummings Cooper;

H. 727. To prevent stock from running at large in beat No. 10 of Hale county;

H. 694. To prohibit the manufacture, sale or giving away of alcoholic, spirituous, vinous or malt liquors in township 19, range 23 in Tallapoosa county;

H. 651. For the preservation of game, animals, and birds, in the county of Colbert;

H. 771. To confer power on the Opelika board to appropriate money out of the revenues of the district of Opelika to the support of its public schools;

H. 384. To amend section 4 an act entitled an act to

more effectually secure competent and well qualified jurors in the several counties of this State, approved February 28th, 1887, so far as the same applies to Fayette county;

H. 151. To amend section 2679 of the Code;

H. 692. To authorize the commissioners' court of Sumter county in districts where stock are not allowed to run at large at any time of the year, to fix a day on which stock of all kinds may be allowed to run at large, and also fix a day when they must be taken up;

H. 474. To amend an act to prevent hunting on land without written consent of owner or his agent in Dallas, Madison, Autauga, Macon, Sumter, Talladega, Bullock and Oak Grove, Perryville and Radfordville, beats of Perry county, and beats number two and nine in Hale county, approved February 18th, 1891;

H. 577. To prevent the obstruction of creeks and streams of running water in Wilcox county by throwing into the same any rocks, brush, logs, and trees;

H. 848. To fix the term of office of the mayor, aldermen and other city officers of the city of Montgomery;

H. 382. To provide for the extension of stock law in Clay county;

H. 501. To amend section 1 of an act entitled an act to amend an act to prohibit stock from running at large in beats number four, five and six, and the southern parts of beats number one and three, and the western part of beat number seven in Macon county, Alabama, approved February 18th, 1885;

H. 693. To declare W. F. Ponder, a liner of the county of Clay, a citizen of the county of Talladega;

H. 714. To incorporate the town of Jackson in Clarke county, Alabama;

H. 664. To incorporate the board of lady managers of the Hillman Hospital in Birmingham, Alabama, to be known as the Board of Lady Managers of the Hillman Hospital;

H. 519, To provide for the permanent location of the county site of Russell county, by a vote of the qualified electors of said county, and providing for the disposition of the court house and jail now located at Seale, in the event the county site is permanently located at

Girard, and for other purposes;

H. 755. To authorize the trustee of Township 16, Range 17, in Montgomery county, to sell the house and lot on Holt street, in the city of Montgomery, now belonging to the township, and to re-invest the proceeds in other school property outside of the city of Montgomery for the use and benefit of the children of said township;

H. 814. To provide for the compensation of the registrar of voters of Jefferson county;

H. 575. To amend section 84 of an act to regulate the management of State and county convicts, approved February 18th, 1895, so far as relates to Marion and Bibb counties;

H. 465. To require the re-registration of existing claims against the fine and forfeiture fund of Lowndes county, Alabama, and to prescribe the time within which future claims against such fund shall be certified to and registered;

H. 639. To authorize the court of county commissioners of Henry county to pay the sheriff and clerk of the circuit court of said county for ex-officio services;

H. 733. To amend the charter of the town of Scottsboro, in Jackson county;

H. 679. To authorize the court of county commissioners of Madison county, to encourage the enlargement of the plant of the Dallas Manufacturing Company in Madison county;

H. 1042. To provide for the more efficient working, keeping up, repairing, improving the public roads, and opening and making new public roads in the county of Morgan; to locate, construct and build, within the limits of said county, a system of public roads of a superior grade, to be known and designated as "county roads;"

H. 903. To incorporate the Guarantee Trust and Surety Company;

H. 534. To incorporate the town of Sulligent, in the county of Lamar, State of Alabama;

H. 667. To amend section (2) of an act entitled "an act to create a new charter for the city of Florence, Alabama," approved February 28th, 1889.

H. 762. To amend an act, entitled an act to establish the thirteenth judicial circuit of the State of Alabama, to fix the time for holding courts therein, and to provide for the appointment of a judge and the election of a solicitor for said circuit, approved February 12th, 1895.

MASSEY WILSON,
Clerk.

REPORT FROM COMMITTEE ON ENROLLED BILLS.

Mr. Matthews from the committee on enrolled bills reports the following bill correctly enrolled:

S. 271. To amend sections one, four, and seven of an act entitled an act to authorize the mayor and councilmen of Brewton to issue bonds of said city for an amount not exceeding twenty-five thousand dollars for the purpose of putting in a system of water works, and making permanent improvements in said city, approved February 14th, 1891.

SENATE AND HOUSE BILLS SIGNED.

The president of the senate, in the presence of the senate, immediately after their titles had been publicly read by the secretary, signed the senate bill, No. 271, the titles of which is set out in the foregoing report from the committee on enrolled bills, and, also, the house bills the titles of which are set forth in the above and last foregoing house message.

REPORTS OF COMMITTEES.

Bills were reported from committees and read a second time as follows:

By Mr. Pettus from judiciary, favorably—

S. 474. To amend section 2367 (2745) of the code of Alabama;

Also,

S. 476. For the relief of David B. Dunlap, a man of unsound mind, authorizing his brother, John J. Dunlap, to sell his undivided interest in a tract of land, and

use the proceeds in paying his expenses at the Insane Hospital at Tuskaloosa;

Also,

H. 1105. To amend an act to authorize the secretary of State to sell the volumes of the reports of the decisions of the supreme court of Alabama now in his possession, approved February 2d, 1893;

Also,

H. 1058. To change the name of Martha E. Hine, of Autauga county;

Also,

H. 1113. To fix the fees of the circuit clerk in the county of Lamar in criminal cases;

Also, with amendment,

H. 1126. To amend section 3685 of the code of Alabama, only as to Hale, Greene, Tuskaloosa, Pickens, Fayette, Barbour, Conecuh, Bibb, Jefferson, Dallas, Montgomery, Clarke, Washington, Lee, Bullock, Talladega, Wilcox, Lauderdale, Macon, Calhoun, Mobile, Autauga, Cherokee and Marion counties;

Also, favorably,

H. 33. To amend section 2524 of the code;

By Mr. Brewer from finance and taxation, favorably—

H. 753. To amend section nine of an act entitled an act for the relief of needy confederate soldiers and sailors, residents of Alabama, who from wounds or other cause are now unable to earn a livelihood, and for widows of such as were killed or died in said war and have not since remarried, approved February 13, 1891;

Also,

H. 331. To repeal an act entitled "an act to provide for refunding of taxes improperly paid," approved February 18th, 1891;

Also,

H. 332. To repeal sections 1, 2, 3 and of an act entitled "an act to provide for returning and allowing proper credits for taxes wrongfully assessed and collected," approved December 6th, 1888;

Also, with amendment,

H. 569. To declare void certain sales of real estate in Madison county for delinquent taxes for the year 1895,

and to require the tax assessor to assess such real estate as required by law;

Also, favorably,

H. 570. For the relief A. J. Eslinger, late tax collector of Madison county;

Also, with amendment,

H. 642. To promote and secure the erection and operation of cotton mills and factories in the State of Alabama;

By Mr. Cunningham, from penitentiary, favorably—

H. 822. To authorize the governor to parole convicts, and to regulate the same;

By Mr. Lee, from military, favorably, with amendments—

S. 427. To regulate the volunteer military forces of the State of Alabama;

By Mr. Boykin, from commerce and common carriers, without recommendation—

S. 401. To ratify and amend the incorporation of "Steiner Brothers," a corporation organized to do a banking business under the general laws of the State of Alabama, so as to confirm in said corporation all the rights, powers and privileges given by law to such corporations, and also to confer additional powers upon said corporation;

By Mr. Walker, from corporations, favorably—

S. 480. To incorporate the Bethel stock law district for the purpose of preventing stock from running at large in said district, situated in Tuscaloosa county, Alabama;

S. 473. To incorporate the Alabama Steel and Ship Building Company;

Also,

S. 459. To incorporate the Montgomery—Elmore Bridge and Improvement Company;

Also,

H. 929. To authorize the National Building and Loan Association of Montgomery, Alabama, a corporation duly organized and existing under the general laws of the State of Alabama to issue paid up stock and loan money to its members on its stock;

Also

H. 1147. To authorize the mayor and aldermen of the city of Florence, Alabama, to appoint a board of public works for said city and to define the powers and duties of such board;

By Mr. Pettus, from the senate code committee—

S. 478. To adopt a code of laws for the State of Alabama;

Also,

S. 479. To provide for the publication and distribution of the code of Alabama;

By Mr. Abercrombie, from education, favorably—

S. 466. To establish a separate school district to be known as the Roanoke Normal College district in Randolph county;

Also,

H. 837. To amend sections 2, 3 and 11 of an act entitled an act to establish a normal school for the education of white male and female teachers, at Jacksonville, in Calhoun county, approved February 22d, 1883;

By Mr. Kilpatrick, from municipal and county organization, favorably—

S. 452. To amend section five of an act entitled an act to incorporate the town of Abbeville, in the county of Henry, approved Feb. 8th, 1872;

Also,

S. 453. To establish a charter for the town of Dundee, in Geneva county;

Also,

H. 1103. To establish a new charter for the town of Clayton, in Barbour county, Alabama;

Also,

H. 1134. To incorporate the town of Newberne, Hale county, Alabama;

Also,

H. 647. To amend sections 2, 12, 15 and 17 of an act entitled an act to create a new charter for the town of Heflin, Cleburne county, Alabama, approved December 12, 1894;

Also,

H. 772. To amend sections seventeen (17) and twenty-five (25) of an act, approved February 18, 1895, entitled

an act to establish a new charter for the city of Anniston.

RE-COMMITMENT OF BILL.

Mr. Brewer from the committee on finance and taxation returned the bill,

s. 191. To establish a technical institute for the colored race in connection with the State Normal School for colored students at Montgomery,

And asked its reference to the committee on agriculture.

It was so referred.

MESSAGE FROM THE HOUSE.

Mr. President:

The house has noncurred in the senate amendment to H. 766. "To provide for the appointment of an official stenographer for the courts of record of Mobile county, and to define his duties and regulate his compensation."

And asks for a committee of conference.

Committee on part of the house, Messrs. Robinson, Sheldon and Delchamps.

And has originated and passed the following bill and ordered the same sent to the senate without engrossment:

H. 1057. To provide for the payment out of the convict funds for certain items of costs in felony cases to fix the amount of said items, to prescribe the extent to which such costs will be paid, and the manner of paying them.

MASSEY WILSON,
Clerk.

HOUSE MESSAGES.

The house bill in the foregoing house message was read once and referred to appropriate committee as follows:

H. 1057, to penitentiary.

The senate acceded to the request of the house for a committee of conference on the senate amendments to the house bill H. 766, the title of which is set out in the foregoing house message.

The president announced as the conferees on the part of the senate,

Messrs, Smith, Lee and Deens of Covington.

RECONSIDERATION OF VOTES.

On motion of Mr. Matthews, the senate reconsidered the vote on the passage of the bill,

H. 935. To fix the time of holding the circuit court in Marion cou ıty, in this State, and regulate the proceedings in such court.

On yesterday.

On his motion the vote by which the bill was ordered to a third reading was, also, reconsidered.

He offered a substitute for the bill, which was adopted.

And the bill,

Was read a third time and passed—yeas 22, nays 0.

Yeas:

Messrs. President, Abercrombie, Boykin, Brewer, Brooks, Buchanan, Cunningham, Day, Deans of Shelby, Deens of Covington, Grant, Hall, Hogue, Hollis, Hundley, Kilpatrick, Matthews. Nolen, Pettus, Sowell, Thomason, Walker—22.

On motion of Mr Matthews, the senate reconsidered the vote on the passage of the bill,

H. 936. To amend section 1 of an act to regulate the practice and proceedings in civil cases in the circuit courts of Colbert and Lauderdale counties in this State and in the supreme court on appeals from judgment rendered in such cases, approved February 18th, 1895.

On yesterday.

And on his motion the bill was laid on the table.

RESOLUTION.

By leave, Mr. Hall offered a resolution, as follows:

Resolved, That the house be requested to return to the senate the house bill 73,

Which was immediately considered, and adopted.

SPECIAL ORDERS.

The senate next considered the special order for this hour, to-wit:

The bill,

s. 295. To regulate the business of insurance in the State of Alabama.

The amendments reported by the committee were severally adopted.

And, on motion of Mr. Cunningham, the further consideration of the bill was postponed until to-morrow morning immediately after calling of reports from committees.

The second special order was taken up, to-wit:

s. 449. To provide and to regulate the appropriation to the University of Alabama, and to enable deserving and indigent students in the several counties of the State to obtain an education at that institution;

The substitute reported by the committee was considered.

Pending its consideration.

RECESS.

At 12:50 o'clock P, M. on motion of Mr. Brewer, the senate took a recess until 3:30 o'clock this afternoon.

AFTERNOON SESSION.

The senate reassembled at 3:30 o'clock P. M., and was called to order by the president.

A quorum was present.

The senate resumed consideration of

UNFINISHED BUSINESS.

Pending.

At the hour of recess to-day, to-wit:

The bill,

s. 449. To provide and to regulate the appropriation to the University of Alabama; and to enable deserving and indigent students in the several counties of the State to obtain an education at that institution.

The question pending being the adoption of the substitute reported by the committee.

Mr. Bethune offered an amendment to the substitute, by striking out $20,000 and inserting $10,000 where it occurs.

Adopted.

The substitute was adopted with a caption, as follows:

To provide an additional appropriation for the University of Alabama.

The bill,

Was read a third time and passed—yeas 16, nays 11.

Yeas:

Messrs. President, Abercrombie, Bethune, Boykin, Brooks, Brown, Cunningham, Deans of Shelby Grant, Hawkins, Kilpatrick, Lee, Moody, Pettus, Rogers, Smith—16.

Nays:

Messrs. Buchanan, Day, Deens of Covington, Hall, Hogue, Hollis, Matthews, Nolen, Robinson, Thomason—11.

Mr. Rogers moved to re-consider the vote by which the bill passed.

On motion of Mr. Brown the motion to re-consider was laid on the table,

And the bill was ordered to be sent to the house without engrossment.

MESSAGE FROM THE HOUSE.

Mr. President:

The house has originated and passed the following bills;

H. 831. To prevent amimals from running at large in a certain district in Autauga county;

H. 972. To amend the revenue laws of the State of Alabama.

MASSEY WILSON,
Clerk.

HOUSE MESSAGES.

The house bills in the foregoing house message were severally read once and referred to appropriate committees as follows:

H. 831, to local legislation;

H. 972, to finance and taxation.

REPORTS FROM COMMITTEE ON ENROLLED BILLS.

Mr. Matthews from the committee on enrolled bills, reports the following bill as correctly enrolled:

S. 354. To fix the time or period of redemption of any renewal or pending bonds, which the governor of this State may issue;

S. 231. To establish a county court for the county of Cleburne.

SENATE BILLS SIGNED.

The president of the senate, in the presence of the senate, immediately after its title had been publicly read by the secretary, signed the senate bills s. 354 and s. 231, the titles of which are set out in the foregoing report from the committee on enrolled bills:

MESSAGE FROM THE HOUSE.

Mr. President:

The house has originated and passed the following bills and returned the same to the senate without engrossment:

H. 1185. To prohibit the sale, giving away or other-

wise disposing of spirituous, vinous or malt liquors or intoxicating bitters or beverages within six miles of Dothan High School, except in Dothan and other incorporated towns; and within five miles of the court house in Edwardswille, Cleburne county; and within one mile of the Baptist church in the town of Victoria in Coffee county; and within three miles of the Pleasant Hill Methodist church in Coosa county; and within three miles of Indian Creek Baptist church in precinct number five in Bullock county; and within the corporate limits of the town of Abbeville, Henry county; and within Frankfort beat number three in Franklin county, and within three miles of Hill's Chapel and Silome churches situated in Hill's beat Franklin county; which lies outside of incorporated cities and towns; and within three miles of Bethany M. E. Church South, in beat twelve Coosa county; and within precinct number eight including the tax incorporations of the towns of Fitzpatrick and Thompson, in Bullock county;

H. 631. To provide for the calling of a convention to revise aud amend the constitution of this State;

H. 931. To provide for the better enforcement of an act to prevent deception in the manufacture and sale of immitation butter, approved February 18, 1895;

H. 1171. To provide and to regulate the appropriation to the University of Alabama; and to enable deserving and indigent students in the several counties of the State, to obtain an education at that institution.

MASSEY WILSON,
Clerk.

HOUSE MESSAGES.

The house bills in the foregoing house message were severally read once and referred to appropriate committees as follows:

H. 1185, to temperance;
H. 631, to finance and taxation;
H. 931, to agriculture;
H. 1191, to finance and taxation.

MESSAGE FROM THE HOUSE.

Mr. President:

The speaker of the house having signed the following house bills, your signature is requested to the same:

H. 153. To incorporate the town of Clanton, in the county of Chilton, State of Alabama, and to repeal all former charters for said town;

H. 189. To allow soldiers and sailors of the Confederate States of America who have been residents of this State for five years next before the passage of this act, to peddle in produce and merchandise in each and every county in this State except in incorporated villages, towns and cities, without payment of the stipulated license, and providing the manner of obtaining such license;

H. 375. To amend an act to better prevent the commission of trespass upon lands in precincts Nos. four, five, six, seven, eight, nine fifteen and seventeen in Hale county, Alabama.

H. 469. To incorporate the West Anniston Hose Co., No. 4, located in the city of Anniston, Calhoun county, Alabama;

H. 563. To relieve Rufus M. Cross of the disabilities of non-age;

H. 247. To provide for the more efficient working of the public roads in Greene, Lowndes and Perry counties and for the appointment of district road inspectors for Greene, Lowndes and Perry counties;

H. 427. To annul, abolish and discontinue the incorporation of the town of Blountsville, in Blount county, to provide for the payment of the outstanding indebtedness of said town and for the sale of its property,

H. 740. To authorize the levy and collection of a tax upon property within the city of Birmingham, Alabama, for the maintenance of the public schools of said city;

H. 524. To amend an act entitled an act to fix the time and place of holding circuit court in the third judicial circuit, approved December 17th, 1894;

H. 518. To amend sections 2 and 20 of an act to establish a charter for the town of Brundidge, in Pike county, Alabama, approved February 21st, 1893;

H. 748. To amend an act entitled an act to amend sections two, five, six and nine of an act entitled an act to incorporate the town of Tuskegee, in the county of Macon, and for other purposes. Approved February 11, 1893;

H. 801. To create a lien for advances to make crops in the county of Monroe, and to provide for enforcing the same;

H. 805. To amend an act to incorporate the Alabama Mutual Fire Insurance Company, and to define its rights, powers and franchises, approved January 23d, 1895;

H. 730. To provide for the election of a mayor and five aldermen for the town of Dothan, and to fix the time of said election;

H. 1038, To amend the charter of the city of Birmingham, as to change and establish the time for holding elections for mayor and aldermen in said city; to alter, define and fix the term of office of the present mayor and aldermen of such city; and the mayor and aldermen hereafter to be elected; and to provide for the drawing of lots to determine which of the present aldermen of said city shall hold for the short term and the long term respectively;

H. 244. To establish a charter for the city of Vincent, in Shelby county, Alabama;

H. 73. To amend an act entitled "an act to amend an act to provide a fund for the payment of witnesses for the State and other officers, in State cases, in Jackson county, and to prescribe their compensation, approved March 1, 1881, approved February 21st, 1893, and to repeal an act entitled an act to regulate the fine and forfeiture fund of certain counties, approved February 13th, 1879, so far as the same relates to Jackson county;

H. 490. To appropriate money to reimburse certain insurance companies for amounts illegally paid, by them, into the State treasury, under an act approved February 18th, 1893, entitled an act to require all corporations to pay a fee or license, for the use of the State, before commencing business in this State;

H. 871. To amend an act to declare certain lands in Greene county, in this State, now belonging to T. W. Cobb, Mary Cobb, Mary E. Walker and Amenia J. Up-

church, a district in which stock shall be prevented from running at large, and to provide that the provisions of an act entitled an act to authorize the commissioners court of Greene county to establish district in which stock may be prevented from running at large, approved February 17th, 1885, shall be applicable to said district, approved February 18, 1891;

H. 627. To prohibit the sale or bartering of any spirituous, vinous or malt liquors or intoxicating bitters or beverages within the corporate limits of the town of Clayton, in the county of Barbour, and to provide for the refunding of money paid for State and county license for time revoked by this act.

MASSEY WILSON,
Clerk.

HOUSE BILLS SIGNED.

The president of the senate, in the presence of the senate, immediately after their titles had been publicly read by the secretary, signed the above house bills, the titles of which are set out in the foregoing house message.

MESSAGE FROM THE HOUSE.

Mr. President:

The house has concurred in the report of the conference committee in the disagreement of the two houses on the following house bills:

H. 135. To authorize corporations having the power under their charters to become sureties on the official bonds of State, county and municipal officers, and of receivers, guardians, administrators, trustees, assignees and executors, and on all bonds, or undertakings required in any judicial proceeding, and on all bonds or undertakings required or permitted by the laws of this State, to be executed with sureties; to regulate the giving of such bonds and prescribe the qualifications of such corporations, and to provide for the relief of such corporations from further liability thereon;

H. 766. To provide for the appointment of an official stenographer for the courts of record of Mobile county, and to define his duties and regulate his compensation.

MASSEY WILSON,
Clerk.

REPORT OF CONFERENCE COMMITTEES.

Mr. Pettus, from a committee of conference, submitted the following report:

Mr. President:

The committee of conference upon the disagreement of the two houses as to H. B. 135, beg leave to report:

That they have had all the matters of disagreement under consideration, and recommend as follows:

1st. We recommend that the following be adopted as a substitute for senate amendment No. 1, to-wit:

Amend section 2 of the bill by inserting after the words, "become such surety," where they appear in line 9 of the second page of the engrossed bill, the following words: "deposit with the treasurer of this State twenty-five thousand dollars of securities created by or under the laws of the United States, or by or under the laws of this State, or in other safe, marketable and interest bearing stocks, bonds or other securities, the value of which shall be at or above par, in trust for the benefit of the resident holders of the obligations of such corporation, at their market value; and the liabilities of such corporation shall not exceed its available assets; but such liabilities shall not be construed, within the meaning of this section, to include its capital stock, nor its contingent liabilities upon bonds or undertakings executed by or under the provisions of this act, but shall include its outstanding debts and a premium reserve equal to fifty per centum of the annual premiums on all outstanding risks then in force; and such corporation shall also."

2d. We recommend the following amendment of section 3 of said bill:

Strike out of section 3 of the bill the following words,

commencing in the 20th line of the third page of the engrossed bill, to-wit: "which said liabilities, however, shall be taken to be its capital stock, its outstanding debts and liabilities;" and by inserting in lieu thereof the following words, to-wit: "but such liabilities shall not be construed, within the meaning of this section, to include its capital stock, nor its contingent liabilities upon bonds or undertakings executed by it under the provisions of this act, but shall include its outstanding debts."

3rd. We recommend that the house concur in senate amendment to No. 2, which provides that section 2 of said bill be amended by striking out from said section the following words which occur therein, to-wit: "which certificate shall be *prima facie* proof of the solvency and credit of such corporation, and of its right to be so accepted as such sole surety, and its sufficiency as such."

4th. We recommend that section 3 of said bill be amended by striking therefrom the following works, commencing on the 3rd line on the 4th page of said bill as engrossed, to-wit: "which said certificate shall be *prima facie* proof of the solvency and credit of such corporation, and of its right to be so accepted as such sole surety, and its sufficiency as such."

5th. We recommend that the house concur in senate amendment No. 3, thereby inserting after the word "foreign" as occurring in the second line of section 11 of said bill as engrossed, the words, "or domestic."

6th. We recommend that section 15 of said bill be amended by inserting after the word "foreign," in the 2nd line of said section of said bill as engrossed, the words, "or domestic."

7th. We recommend that section 9 of said bill be amended by inserting after the word, "foreign," in the 2nd line of said section of said bill as engrossed, the words, "or domestic."

8th. We recommend that section 16 of said bill be amended by inserting after the words, "fifty thousand dollars," occurring in the 8th line of said section of said bill, as engrossed, the words, "including the twenty-five thousand dollars hereinbefore provided to be so deposited by it."

9th. We recommend that said bill be further amended by adding thereto an additional section, in words and figures following, to-wit: Section 19. Be it further enacted, that nothing herein contained shall apply to any bond or undertaking which is not by law required to be approved by any State, county, municipal, precinct, township, district, or other like officer, or by any judge, clerk or register of any court of this State, or to corporations engaged merely in the business of becoming sureties on any such bond or undertaking.

PETTUS,
McELDERRY,
On the part of the senate.
A. H. MERRILL,
R. B. BARNES,
W. R. BROWN,
On the part of the house of representatives.

The report was concurred in—yeas 18, nays 10.

Yeas:

Messrs. President, Bethune, Boykin, Buchanan, Cunningham, Day, Deans of Shelby, Deens of Covington, Grant, Hall, Hawkins, Hogue, Lee, McElderry, Pettus, Robinson, Rogers, Smith—18.

Nays:

Messrs. Abercrombie, Brewer, Brooks, Brown, Hollis, Kilpatrick, Matthews, Moody, Nolen, Thomason—10.

Mr. Smith from the committee of conference submitted the following report:

Mr. President:

The committee of conference to which was referred the disagreeing vote of the two houses on the amendments of the senate to house bill 766, entitled "A bill to be entitled an act to provide for the appointment of an official stenographer for the courts of record of Mobile county, and to define his duties and regulate his compensation," have had the same under consideration and direct us to report to you as follows:

First. That the senate recedes from its second amendment.

Second. That the committee have agreed on and now report the following amendment to the bill in lieu of said

second amendment: "Upon the appeal of any criminal case tried in any of the courts mentioned in this act, either party shall have the right to demand and receive a certified transcript of the stenographer's notes, and the same shall be filed as herein provided without cost to any one. In civil causes the party applying for the transcript of the stenographic notes shall pay to the official stenographer the sum of ten cents for each 100 words thereof; Provided, that wherever the counsel of either party notifies the stonographer that the party so applying for a transcript cannot reasonably afford to pay the fee therefor, he shall have the right to such transcript as in criminal cases, without cost. Provided, further, however, that such official stengrapher shall keep a faithful record of the sums received by him during each year from such transcript fees, and at the end of each year present a detailed statement to the board of revenue and road commission of Mobile county showing the amounts so collected by him, and said official stenographer shall be entitled to retain the moneys derived from said transcript fees up to the sum of three hundred dollars per annum, and he is hereby required to account for and pay over to the county treasurer of Mobile county all sums received by him during any year in excess of such sum of three hundred dollars."

THOS. H. SMITH,
C. S. LEE,
A. W. DEENS,
On the part of the senate.
LESLIE B. SHELDON,
JNO. J. DELCHAMPS,
EDWARD M. ROBINSON,
On the part of the house.

The report was concurred in—yeas 19, nays 0.

Yeas:

Messrs. President, Abercrombie, Bethune, Boykin, Brewer, Buchanan, Cunningham, Day, Grant, Hall, Hawkins, Hollis, Kilpatrick, Lee, Matthews, Nolen, Pettus, Smith, Thomason—19.

ADJOURNMENT.

At 5:55 P. M. on motion of Mr. Kilpatrick, the senate adjourned until 10 o'clock to-morrow morning.

FORTY-SIXTH DAY.

Friday, February 12th, 1897.

The senate met persuant to adjournment.
Prayer by the Rev. Mr. Robinson of the senate.
Present:
Messrs. President, Abercrombie, Bethune, Boykin, Brewer, Brooks, Brown,, Buchanan, Cunningham, Day, Deans of Shelby, Deens of Covington, Grant, Hall, Hawkins, Hogue, Hollis, Hundley, Kilpatrick, Lee, Matthews, McElderry, Moody, Nolen, Pettus, Robinson, Rogers, Smith, Sowell, Thomason, Walker—31.

READING OF THE JOURNAL.

On motion of Mr. Cunningham, the reading of the journal of yesterday was dispensed with, and it was approved.

WITHDRAWAL OF BILL.

Mr. Cunningham asked and obtained consent to withdraw from further consideration by the senate, the bill s. 446. To incorporate the People's Mutual Fire Insurance Company.

LEAVE OF ABSENCE.

Leave of absence was granted the assistant doorkeeper for the day.

INTRODUCTION OF BILLS.

On the call of the districts, bills were introduced, read and referred to appropriate committees, as follows:

By Mr. Hall—

s. 490. For the improvement of roads and bridges in Marshall county, Alabama,

Local legislation;

By Mr. Thomason—

s. 491. To amend section one of an act entitled an act to authorize the court of county commissioners of Randolph county to issue bonds for the purpose of erecting a new court house for said county, at Wedowee, Alabama, and to levy a tax to liquidate the debt to accrue thereby, approved ——— , 1897,

Local legislation;

By Mr. Cunningham—

s. 492. To authorize the board of mayor and aldermen of the town of Woodlawn, to issue funding bonds of said town for the purpose of paying the delinquent coupons and interest on its present bonded indebtedness,

Municipal and county organizations:

By Mr. Sayre—

s. 493. To confer certain powers on the Columbus Water Works Company;

By Mr. Brown—

s. 494. To prevent any stallion over two years old, or any jack-ass over two years old, or bull or boar over six months old from running at large in Cullman county.

REPORTS OF COMMITTEES.

Bills were reported from committees and read a second time as follows:

By Mr. Brewer, from finance and taxation, favorably—

H. 174. To provide for the repairing of the quarantine plant in Mobile Bay;

Also,

H. 1003. To authorize the auditor to pay out certain moneys remaining in the State treasury as a part of the relief fund for needy confederate soldiers and sailors;

Also,

H. 1174. To make additional appropriation to pay the expenses of the general assembly of Alabama for the session of 1896-97;

Also,

H. 1181. To pay for articles purchased for the use of senate and house of representatives and for repairing the senate chamber and hall of the house of representatives, and for repairing and furnishing the rooms of the engrossing and enrolling clerks of the house of representatives;

By Mr. Kilpatrick, from municipal and county organizations, favorably—

S. 484. To amend section 3 of an act entitled "an act to change the name of the town of Pratt Mines, in Jefferson county, and establish a new charter therefor";

By Mr. McElderry, from privileges and elections, favorably—

H. 631. To provide for the calling of a convention to revise and amend the constitution of the State;

By Mr. Pettus, from judiciary, favorably—

S. 486. To relieve Alice Philips a minor under 18 years of age of the disabilities of non-age;

Also, with amendment,

H. 612. To establish, organize, and maintain a system of public schools in Woodlawn, Jefferson county, Alabama, and to levy and collect tax for the support of said schools;

Also,

H. 1130. To prevent stock from running at large in Dallas county;

By Mr. Hogue, from local legislation, favorably—

H. 921. To amend section 1 of an act to establish a new charter for the city of Montgomery, approved December 9th, 1896;

By Mr. Brewer, from finance and taxation, favorably, with amendment—

H. 1171. To provide an additional appropriation for the University of Alabama;

Also, with amendment,

S. 469. To relieve Julia C. Wilson's real property of taxation on condition that same be used for the establishment of a Convalescent Home for Poor Children in the city of Montgomery;

Also, favorably,

H. 894. For the relief of W. H. Roney, clerk of the circuit court of Macon county;

Also, without recommendation,

H. 972. To amend the revenue laws of the State of Alabama;

By Mr. Abercrombie, from educational, favorably—

H. 511, To amend an act to create and establish an industrial school for white girls in the State of Alabama;

By Mr. Walker, from corporation, favorably—

S. 487. To amend an act to incorporate the town of Hamilton, in Marion county and the State of Alabama, approved December 5th, 1896;

By Mr. Pettus, from judiciary, favorably—

H. 521. To more effectively protect the people against combinations, conspiracies and agreements between insurers whereby rates of insurance are raised or fixed;

By Mr. Kilpatrick, from municipal and county organization, favorably—

H. 915. To require the commissioners' court of Jefferson county, Alabama, to keep a book of records of roads, and to keep an entry of road matters therein;

By Mr. Hogue, from local legislation, favorably—

H. 917. To repeal an act to more effectually secure competent and well qualified jurors for the county of Marengo, approved December 9th, 1896;

By Mr. Brewer, from finance and taxation, favorably, with amendment—

H. 1076. To provide for the payment of the costs in the case of the State vs. Steve, alias Stephen Camp, lately convicced of arson by the city court of Talladega and who died before sentence was passed;

Also, favorably, with amendment—

H. 403. For the relief of Ed J. Hall and J. J. Odom, and to refund to them the sum of two hundred and forty dollars, a part of the amount paid by them for license to retail liquor, which license was afterwards revoked;

By Mr. Hogue, from local legislation, favorably—

S. 482. To prevent stock from running at large in sections twenty-eight and thirty-three, township twenty, range ten, in Randolph county;

By Mr. Hawkins, from agriculture, favorably—

H. 931. To provide for the better enforcement of an act to prevent deception in the manufacture and sale of imitation butter, approved February 18th, 1895;

By Mr. Moody, from temperance, favorably—

H. 863. To regulate the sale of spirituous, vinous and malt liquors within the corporate limits of the town of Lanette, Alabama;

Also,

H. 1185. To prohibit the sale, giving away or otherwise disposing of spirituous, vinous or malt liquors or intoxicating bitters or beverages within six miles of Dothan High School, except in Dothan and other incorporated towns; and within five miles of the court house in Edwardswille, Cleburne county; and within one mile of the Baptist church in the town of Victoria in Coffee county; and within three miles of the Pleasant Hill Methodist church in Coosa county; within three miles of Baileyton, Cullman county; and within three miles of Indian Creek Baptist church in precinct number five in Bullock county; and within six miles of the agricultural school in the town of Abbeville, except within the corporate limits of the town of Abbeville, Henry county; and within Frankfort beat number three in Franklin county, and within three miles of Hill's Chapel and Silome churches situated in Hill's beat Franklin county; and in that part of Tuscaloosa county which lies outside of incorporated cities and towns; and within three miles of Bethany M. E. Church South, in beat twelve Coosa county; and within precinct number eight including the incorporations of the towns of Fitzpatrick and Thompson, in Bullock county; within three miles of the town of Woodville, in Jackson county; and the sale of spirituous bitters or intoxicating beverages in Montgomery

county outside of police jurisdiction of the city of Montgomery.

PROTEST.

Mr. Hundley arose on a question of privilege, and, at at his request, the following protest was ordered to be spread on the journal:

Mr. President:

I voted in the negative on the passage of the bill, H. 680, "A bill to be entitled an act to confirm the incorporation of the Huntsville & Monte Sano Improvement Company, and confer upon it additional powers." In explanation of my position in relation thereto. I ask to have the following spread upon the journal.

I am heartily in favor of the general purposes of that bill, and it is only to that portion of section 2, which confers upon the corporation the power to purchase from other corporations gas or electric plants, together with all the "rights, powers, privileges and franchises" conferred upon such corporations that I object to, for the following reasons:

1. The bill in question authorizes the formation of a corporation with one million dollars capital, and to permit that corporation to buy out other smaller corporations would create a manopoly which might result in compelling the people of Huntsville to pay a higher price for gas and electricity, since there is no maximum rate fixed in the bill as to what the corporation shall charge therefor. The present Huntsville Gas Light Company, I am informed, has a right under its charter to charge for its gas as high as five dollars per thousand cubic feet, and by virtue of competition between that company and the Huntsville Electric Light Company, the price of gas has been reduced to the people of Huntsville to $2.00 per thousand feet. Should the corporation chartered under this bill purchase the Huntsville Gas Light Co. and Electric Light Co., it would thus have the power in succeeding to the rights and privileges of the corporations purchased, to place the price of gas back to the maximum figure.

2. I don't believe that the general assembly has the right, as matter of law, to confer upon a corporation the right to purchase the franchise of another corporation, and if such right can be conferred as matter of law, I do not believe it to be a wholesome policy for the general assembly to confer upon any corporation or individual the right to barter and deal in corporate franchises.

OSCAR R. HUNDLEY.

MESSAGE FROM THE GOVERNOR.

STATE OF ALABAMA, EXECUTIVE DEPARTMENT
OFFICE OF THE GOVERNOR,
MONTGOMERY, February 12, 1897.

Mr. President:

The governor has approved the following bills which originated in the senate:

Senate bills numbered 266, 271 and 354.

Very respectfully,

JAMES B. SIMPSON,
Recording Secretary.

RESOLUTIONS.

Resolutions were offered and referred to committee on rules, as follow:

By Mr. Brown—

Resolved, That house bill No. 642 be made a special continuing order for Saturday morning immediately after the call of standing committees:

By Mr. Brown—

Resolved, That when the senate adjourns to this afternoon it shall adjourn to meet at 7:30 o'clock, and that at the afternoon and night sessions only senate bills shall be considered until all are disposed of.

By Mr. Smith—

Resolved, That house bill No. 174, to provide for the repairing of the Quarantine Plant of Mobile Bay, be made a special and continuing order for Saturday, Feb-

ruary 13th, at 3 :30 o'clock, immediately after dinner.

By Mr. Brewer—

Resolved, That the president of the senate is hereby requested to have restored to the senate chamber the oil painting of features of the late Hon. Wm. R. King, if the said painting can be found.

MOTION TO RECONSIDER.

Mr. Brown moved to take from the table the motion to reconsider the vote on the passage of the bill,

H. 449. To provide an additional appropriation for the University of Alabama.

The chair ruled the motion out of order. Mr. Brown raised the point of order that the motion to table the motion to reconsider when made on yesterday, was out of order, and, therefore, his motion now was competent.

The chair ruled that the point of order was not well taken.

Mr. Brown appealed from the decision of the chair.

Mr. Pettus moved to lay the appeal on the table.

Which motion prevailed.

Yeas 14, nays 11.

Yeas :

Messrs. Abercrombie, Bethune, Boykin, Brooks, Cunningham, Grant, Hundley, Kilpatrick, Lee, McElderry, Moody, Pettus, Smith, Walker—14.

Nays :

Messrs. Brewer, Brown, Buchanan, Day, Deens of Covington, Hall, Hogue, Hollis, Robinson, Sowell, Thomason—11.

MESSAGE FROM THE HOUSE.

Mr. President :

The speaker of the house having signed the following house bills, your signature is requested to the same :

H. 935. To fix the time of holding the circuit court in Marion county, Alabama, and to regulate the disposition of causes now pending in such court ;

H. 766. To provide for the appointment of an official stenographer for the courts of record of Mobile county, and to define his duties and regulate his compensation;

H. 928. To authorize Colbert county to build macademized or turnpike roads, and to issue bonds of the county to aid in the construction thereof;

H. 135. To authorize corporations, having the power under their charter, to become sureties on the official bonds of State, county and municipal officers, and of receivers, guardians, administrators, trustees, assignees, and executors, and on all bonds, or undertakings, required in any judicial proceeding and on all bonds or undertakings required or permitted by the laws of this State, to be executed with sureties; to regulate the giving of such bonds, and prescribe the qualifications of such corporations, and to provide for the relief of such corporations from further liability thereon.

MASSEY WILSON,
Clerk.

HOUSE BILLS SIGNED.

The president of the senate, in the presence of the senate, and immediately after their titles had been publicly read by the secretary, signed the above house bills whose titles are set forth in the foregoing house message.

SPECIAL ORDER.

The special order for this hour was the bill,

s. 295. To regulate the business of insurance in the State of Alabama,

Was taken up.

Mr. Cunningham offered amendments, which were severally adopted,

The bill as amended,

Was read a third time and passed—yeas 16, nays 8.

Yeas:

Messrs. President, Bethune, Boykin, Buchanan, Cunningham, Day, Deens of Covington, Grant, Hall, Hogue,

Hollis, Hundley, Kilpatrick, Pettus, Thomason—16.

Nays:

Messrs, Abercrombie, Brewer, Brown, Hawkins, Nolen, Rogers, Walker—8,

And was ordered to be sent to the house without engrossment.

MESSAGE FROM THE HOUSE.

Mr. President:

The house has originated and passed the following bills and ordered the same to the senate without engrossment:

H. 507. To provide for a charter for the town of Horse Creek, Walker county, Alabama;

H. 625. For the further regulation of theatres and other houses of public entertainment;

H. 890. To establish Ashford school district;

H. 959. To encourage and protect the raising and growing of fruit in the State of Alabama;

H. 1111. To provide for the registration and lien of judgments for the payment of money in the courts of justice of the peace in Marion county, Alabama;

H. 1203. To authorize the court of county commissioners of Madison county to regulate the weight and tonage of loaded and empty wagons and other vehicles passing over the public roads of said county;

H. 1204. To amend an act entitled an act to amend an act entitled an act to incorporate the City of Fort Payne, DeKalb county, Alabama, approved Feb. 2, 1891, and to fix the duties, fees and salaries of the officers of said city of Fort Payne;

And, at the request of the senate, returns herewith

H. 73. To amend an act entitled "an act to amend an act to provide a fund for the payment of witnessess for the State and other officers, in State cases, in Jackson county, and to prescribe their compensation, approved March 1, 1881; approved February 21st, 1893, and to repeal an act entitled an act to regulate the fine and forfeiture fund of certain counties, approved February 13th, 1879, so far as the some relates to Jackson county;

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By Mr. Brewer—

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The chair ruled that the point of order was not well taken.

Mr. Brown appealed from the decision of the chair.

Mr. Pettus moved to lay the appeal on the table.

Which motion prevailed.

Yeas 14, nays 11.

Yeas :

Messrs. Abercrombie, Bethune, Boykin, Brooks, Cunningham, Grant, Hundley, Kilpatrick, Lee, McElderry, Moody, Pettus, Smith, Walker—14.

Nays :

Messrs. Brewer, Brown, Buchanan, Day, Deens of Covington, Hall, Hogue, Hollis, Robinson, Sowell, Thomason—11.

MESSAGE FROM THE HOUSE.

Mr. President :

The speaker of the house having signed the following house bills, your signature is requested to the same :

H. 935. To fix the time of holding the circuit court in Marion county, Alabama, and to regulate the disposition of causes now pending in such court ;

And has amended, as therein shown, and as amended, has passed,

s. 319. To further regulate the business and taxation of building and loan associations;

And has passed

s. 251. To amend sections 80, 81, 82 and 83 of the code of 1876;

And has adopted the following resolution relative to the erasure by the speaker of the house of his signature from H. B. 714 and herewith returns the bill to the senate,

And has concurred in the report of the joint committee relative to the final adjournment of the two houses.

MASSEY WILSON,
Clerk.

HOUSE MESSAGES.

The house bills in the foregoing house message were severally read once and referred to appropriate committees as follows:

H. 632, to military.

H. 625, 1111, 170 to judiciary.

H. 507, 890, 1203, 1204 to municipal and county organization.

H. 950, to agriculture.

The senate concurred in the house amendments to:

s. 152. To require passenger trains or railways in this State to stop at the stations nearest the court house town of every county in this State, and to prescribe who shall establish such stations and fix penalties for the violations of such requirement.

Yeas:

Messrs. President, Abercrombie, Bethune, Brewer, Brooks, Brown, Buchanan, Cunningham, Day, Deans of Shelby, Deens of Covington, Grant, Hall, Hogue, Hollis, Hundley, Matthews, Nolen, Pettus, Rogers, Smith, Sowell, Thomason, Walker—24.

And the senate concurred in the house amendment to,

s. 319. To further regulate the business and taxation of Building and Loan Associations.

Yeas 21, nays 0.

Yeas:

Messrs. President, Bethune, Brooks, Brown, Buchanan,Cunningham, Day, Deans of Shelby, Deens of Covington, Grant, Hall, Hawkins, Hogue, Hollis, Lee, Matthews, Moody, Nolen, Robinson, Thomason, Walker —21.

REPORT OF CONFERENCE COMMITTEE.

Mr. Abercromble, from a conference committee submitted the following report:

Mr. President:

Your committee appointed to consider the disagreement of the two houses on amendments to house bill 785, have held a conference, and recommend that the senate amendment to section one be adopted, and that the senate recede from its amendment adding township 6, of Jackson county, to the provisions of the bill.

Senate Committee,
JOHN W. ABERCROMBIE,
G. J. HALL,
T. J. THOMASON.

House Committee,
VIRGIL BOULDIN,
THOS. W. COLEMAN, jr.
J. R. WOOD.

The report was concurred in.

Yays 20, nays 0.

Yeas:

Messrs. President, Abercrombie, Bethune, Boykin, Brewer, Brooks, Day, Deans of Shelby, Deens of Covington, Grant, Hall, Hawkins, Hogue, Hollis, Hundley, Lee, Matthews, Nolen, Robinson, Smith, Walker —20.

REPORT OF SELECT COMMITTEE.

Mr. Pettus from the joint select committee on final adjournment submitted the following report:

Mr. President:

Your joint committee on fixing the time of final ad-

journment of the general assembly have had the same under consideration and beg leave to report as follows:

First, They have inquired of the enrolling departments of both houses as to the state of their respective offices, and find that from the probable amount of legislation that will be passed, that it will be necessary to take an adjournment of at least one day in order that the bills may be enrolled and compared.

Second, They have called on the governor and he informs the committee that he will be able to keep up with the work of examining and approving legislation if one day's adjournment is had and if a sufficient time is given on the last day for the bills passed by the two houses to be presented to him before final adjournment.

Your committee, therefore, most respectfully recommend as follows:

First, That the two houses recess from their usual time of adjournment, on Tuesday night, February 16th, until Thursday morning, the 18th day of February, at their usual time of reassembling.

Second, That no bills be considered for passage in the two houses after 3 o'clock P. M. on said day, and that the general assembly adjourn sine die at 9 o'clock P. M. on said day—all of which is respectfully submitted.

A. J. HEARN,
R. B. BARNES,
J. J. MITCHELL,
On part of house.
PETTUS,
ISAAC GRANT,
DEANS of Shelby,
Conferees on part of senate.

Which was concurred in.

RESOLUTION.

Mr. Grant offered the following resolution:

Resolved, That the president of the senate be requested to erase his signature from the house bill No. 714 in order that said bill may be amended.

Which was referred to the committee on rules.

ORDER TO PRINT.

On motion of Mr. Brewer, the H. B. 972 was ordered printed and made the special containing order for Monday morning next immediately after the reading of the journal with precedence over all other orders,

100 copies of H. 631, were ordered printed, also.

RESOLUTION.

By leave, Mr. Hall offered a resolution as follows:

Resolved, That the president of the senate be requested and is hereby authorized to erase his signature from the H. B. 73,

Which was adopted, and in accordance with the resolution the president erased his signature from said H. B. 73.

RECONSIDERATION OF VOTE.

On motion of Mr. Hall, the vote on the passage of the bill,

H. 73. To amend an act entitled "an act to amend an act to provide a fund for the payment of witnesses for the State and other officers, in State cases, in Jackson county, and to prescribe their compensation, approved March 1, 1881, approved February 21st, 1893, and to repeal an act entitled an act to regulate the fine and forfeiture fund of certain counties, approved February 13th, 1879, so far as the same relates to Jackson county,

Was reconsidered,

And also the vote ordering the bill to a third reading.

Mr. Hall offered an amendment to strike section five from the bill,

Which was adopted, and the bill

Was read a third time and passed.—yeas 19, nays 0.

Yeas:

Messrs. Bethune, Brooks, Brown, Buchanan, Cunningham, Day, Deans of Shelby, Deens of Covington, Grant, Hawkins, Hollis, Matthews, Moody, Nolen, Pettus, Smith, Sowell, Thomason, Walker—19.

BILLS ON THIRD READING.

The bill,

H. 1028. For the relief of Joe Lambert, as tax collector for Wilcox, county, Alabama,

Was taken up.

Mr. Kilpatrick offered an amendment reported by the committee, to strike out the proviso in the amendment.

Mr. McElderry demanded the previous question on the amendment and the bill,

It was ordered to be put

The amendment to amendment offered by Mr. Kilpatrick was adopted.—yeas 16, nays 11.

Yeas:

Messrs. Abercrombie, Bethune, Brooks. Buchanan, Day, Deans of Shelby, Deens of Covington, Grant, Hall, Kilpatrick, Lee, Moody, Pettus, Smith, Thomason, Walker—16.

Nays:

Messrs. Brewer, Brown, Cunningham, Hawkins, Hogue, Hollis, Hundley, McElderry, Nolen, Robinson, Rogers—11.

The amendment as amended was adopted,

The bill as amended was read a third time.

Mr. Brewer moved to lay on the table.

Lost.—yeas 6, nays 22.

Nays:

Messrs. Abercrombie, Bethune, Boykin, Brooks, Buchanan, Cunningham, Day, Deans of Shelby, Deens, of Covington, Grant, Hall, Hawkins, Hollis, Kilpatrick, Lee, McElderry, Moody, Nolen, Pettus, Smith, Sowell, Thomason, Walker—22.

Yeas:

Messrs. Brewer, Brown, Hogue, Hundley, Robinson, Rogers—6.

The bill passed.—yeas 22, nays 6.

Yeas:

Messrs. Abercrombie, Bethune, Boykin, Brooks, Buchanan, Cunningham, Day, Deans of Shelby, Deens of Covington, Grant, Hall, Hawkins, Hollis, Kilpatrick, Lee, McElderry, Moody, Nolen, Pettus, Smith, Sowell, Thomason, Walker—22.

Nays:

Messrs Brewer, Brown, Hogue, Hundley, Robinson, Rogers—6.

The bill,

H. 665. Te authorize J. W. White to establish a Ferry across the Tennessee river,

Was read a third time and passed—yeas 20, nays 0.

Yeas:

Messrs. Bethune, Brown, Buchanan, Day, Deans of Shelby, Deens of Covington, Grant, Hall, Hawkins, Hollis, Hundley, Lee, McElderry, Moody, Nolen, Robinson, Smith, Sowell, Thomason, Walker—20.

The bill,

H. 601. To establish a system for working roads in Crenshaw county and to authorize the commissioners court of Crenshaw county to levy and collect a tax for working the public roads of said county and to let out said roads by contract,

Was read a third time and passed—yeas 22, nays 0.

Yeas:

Messrs. Bethune, Boykin, Brooks, Brown, Buchanan, Cunningham, Deans of Shelby, Deens of Covington, Grant, Hall, Hawkins, Hollis, Kilpatrick, Lee, Matthews, McElderry, Moody, Nolen, Robinson, Smith, Thomason, Walker—22.

The bill,

H. 401. To amend sections 3 and 4 of an act entitled an act to prevent stock from running at large in the several beats of Randolph and Calhoun counties and authorize elections thereon,

Was read a third time and passed.—yeas 19, nay 0.

Yeas:

Messrs. Bethune, Boykin, Brooks, Brown, Buchanan, Cunningham, Deens of Covington, Grant, Hall, Hawkins, Hollis, Lee, Matthews, McElderry, Moody, Nolen, Smith, Thomason, Walker—19.

The bill,

H. 353. To amend section one of and act entitled an act for the preservation of game in Conecuh county, approved December 11, 1894,

Was read a third time and passed.—yeas 21, nays 0.

Yeas:

Messrs. Abercrombie, Bethune, Brooks, Brown, Buchanan, Cunningham, Day, Deans of Shelby, Deens of Covington, Grant, Hawkins, Hogue, Hollis, Hundley, Lee, Matthews, Nolen, Robinson, Smith, Thomason. Walker—21.

The bill,

H. 850. To amend section one (1) of an act entitled an act to establish three separate school districts in Cullman county, to be known as the Jones Chapel School District, the County Line School District and the Good Hope District, in Cullman county, Alabama, and to provide for the election of a board of trustee for each of said school district, with certain duties and powers, approved February 18th, 1891,

Was taken up.

Mr. Brown offered a substitute for the bill,

Which was adopted.

The bill as amended, was read a third time and passed.—yeas 20, nays 0.

Yeas:

Messrs. Boykin, Brown, Buchanan, Cunningham, Day, Deans of Shelby, Deens of Covington, Grant, Hall, Hawkin, Hogue, Hollis, Lee, Matthews, McElderry, Nolen, Robinson, Rogers, Smith, Thomason, Walker—20.

The bill,

H. 789. To establish a separate school district, known as the Jackson School District, in Clarke county, Alabama,

Was taken up.

The amendment reported by the committe was adopted.

The bill, as amend was read a third time and passed. yeas 22, nays 0.

Yeas:

Messrs. Abercrombie, Bethune, Brewer, Brown, Buchanan, Cunningham, Day, Deans of Shelby, Deens of Covington, Grant, Hall, Hawkins, Hogue, Hollis, Kilpatrick, Lee, Matthews, McElderry, Nolen, Robinson, Smith, Thomason—22.

The bill,

H. 406. To establish a separate school district to be known as the Summit school district in Blount county, Alabama,

Was read a third time and passed—yeas 21, nays 0.

Yeas:

Messrs. Bethune, Boykin, Brooks, Brown, Case, Cunningham, Day, Deans of Shelby, Deens of Covington, Grant, Hawkins, Hogue, Hollis, Lee, Matthews, McElderry, Nolen, Robinson, Smith, Thomason, Walker—21.

The bill,

H. 550. To establish the Bremen school district in Cullman county, Alabama,

Was read a third time and passed—yeas 21, nays 0.

Yeas:

Messrs. Abercrombie, Bethune, Brooks, Brown, Buchanan, Cunningham, Day, Deans of Shelby, Deens of Covington, Grant, Hawkins, Hogue, Hollis, Lee, Matthews, Nolen, Robinson, Smith, Thomason, Walker—21.

The bill,

H. 882. To establish a separate school district to be known as Mt. Pleasant School District in Colbert county, Alabama,

Was read a third time and passed—yeas 20, nays 0.

Yeas:

Messrs. Abercrombie, Bethune, Brewer, Brooks, Brown, Buchanan, Cunningham, Day, Deans of Shelby, Grant, Hall, Hawkins, Hogue, Kilpatrick, Lee, McElderry, Nolen, Smith, Thomason, Walker—20.

The bill,

S. 387. To incorporate Peaceburgh Camp Ground, in Calhoun county, to authorize and empower the trustees, cabin owners and tent-holders to pass and enforce rules and regulations to maintain and preserve good order within one mile of said camp ground and to control its management.

Was taken up.

Mr. Abercrombie offered a substitute which was adopted with a caption, as follows:

S. 387. To incorporate the Peaceburgh Camp Ground, in Calhoun county, and Texas Camp Ground in Macon county, and to authorize and empower the trustees, cabin owners and tent-holders to pass and enforce rules and regulations to maintain and preserve good within one

mile respectively, of said camp grounds, and to control its management.

The bill, as amended,

Was read a third time and passed—yeas, 21, nays, 0.

Yeas:

Messrs. Abercrombie, Boykin, Brewer, Brooks, Brown, Buchanan, Cunningham, Day, Deans of Shelby, Grant, Hall, Hawkins, Hogue, Hollis, Kilpatrick, McElderry, Nolen, Robinson, Smith, Thomason, Walker—21.

The bill,

H. 710. To establish a separate school district in Barbour county, to be known as the Clio school district,

Was read a third time and passed—yeas 20, nays 0.

Yeas:

Messrs. Abercrombie, Bethune, Boykin, Brewer, Brooks, Brown, Cunningham, Deans of Shelby, Deens of Covington, Grant, Hawkins, Hogue, Kilpatrick, Matthews, Moody, Nolen, Robinson, Smith, Sowell, Thomason, Walker—20.

SPECIAL ORDER SET.

The bill,

H. 838. To regulate the mining of coal in Alabama,

Was taken up and considered.

On motion of Mr. Cunningham the further consideration of the bill was postponed until Monday next, and made a special continuing order at 12 o'clock M.

MESSAGE FROM THE HOUSE.

Mr. President:

The house has concurred in the senate amendment to the bill,

H. 1028. For the relief of Joe Lambert, as tax collector for Wilcox county, Alabama,

And has originated and passed and ordered forthwith to the senate without engrossment, the following bills:

H. 700. To prevent any injury or destruction of any railroad, or any part of the same, or any bridge, trestle, culvert; or removal of any rail, cross-tie; or obstruc-

tion of any railroad, or street car railroad for the purpose of impeding the progress of any engine, or train running thereon, or endangering the life of any person operating any engine or train of cars, or passengers or other person upon any engine or car;

H. 587. To appropriate one thousand dollars to complete the erection of a monument to the Alabama soldiers who fell in the late war between the States.

HOUSE MESSAGES.

The house bills in the foregoing house message were severally read once and referred to appropriate committees, as follows:

H. 700, to commerce and common carriers;

H. 587, to finance and taxation.

REPORT OF COMMITTEE ON RULES.

The president of the senate, Mr. Hawkins presiding, from the committee on rules, reported as follows:

Favorably, the resolution to make H. B. 642 a special continuing order for Saturday morning immediately after calling the standing committees, which was concurred in;

Also, favorably, the resolution providing for three sessions of the senate to-day and the business to be considered which was also concurred in;

Also, favorably, resolution to make H. B. 174 a special continuing order for Saturday, February 13th, at 3:30 o'clock P. M., which was also concurred in.

Also, a substitute for a resolution, as follows:

Resolved, The president of the senate shall appoint a committee of one to inquire into the whereabouts of the portrait of Hon. Wm. R. King, which formerly being in the senate chamber, and report the same to the senate, which was adopted, and report concurred in.

Also, the resolution authorizing the president to erase his signature from the house bill, H. 714.

Which was adopted.

RECESS.

The senate at 1:30 took a recess until 3:30 this evening.

AFTERNOON SESSION.

The senate reassembled at 3:30 o'clock P. M., and was called to order by the president.

A quorum was present.

ERASURE OF SIGNATURE.

In accordance with the resolution, the president erased his signature from the house bill,

H. 714. To incorporate the town of Jackson, in Clarke county, Alabama.

Mr. Grant then moved to reconsider the vote by which the bill passed.

Carried.

On his motion the vote ordering it to a third reading was reconsidered.

He offered an amendment to section 6 of the bill,

Which was adopted.

The bill was read a third time and passed.—yeas 19, nays 0.

Yeas 19, nays 0.

Yeas:

Messrs. President, Abercrombie, Bethune, Brown, Deens of Covington, Grant, Hawkins, Hogue, Hollis, Hundley, Lee, Matthews, McElderry, Moody, Nolen, Robinson, Smith, Thomason, Walker—19.

REPORT FROM THE COMMITTEE ON ENROLLED BILLS.

Mr. Matthews from the committee on enrolled bills reported as correctly enrolled the following bills:

S. 322. To create a separate school district to include the town of Springville, in St. Clair county;

s. 414. To authorize the court of county commissioners of Bullock county issue and sell bonds of said county to an amount of $10,000 for the purpose of repairing the present jail of Bullock county or building a new jail for said county;

s. 362. To amend an act to establish the Tuscaloosa county law and equity court, approved Dec. 9, 1896, by amending sections 5, 6, 15, 25 and 27 and by striking out section 7 and inserting in lieu thereof the provision giving the Tuscaloosa law and equity court exclusive jurisdiction of all matters and cases now entertained and heard by the county court of Tuscaloosa and providing manner of instituting prosecutions for misdemeanors in the Tuscaloosa county law and equity court; and by aidding section 30 to provide means for the solicitor to procure assistance, and by adding section 31 requiring the solicitor of the court to attend preliminary investigations; by adding section 32 to provide for the sheriff to summons juries in certain cases; and by adding section 33 to provide for the return of indictments;

s. 319. To further regulate the business and taxation of building and loan associations;

s. 152. To require passenger trains on railways in this State to stop at the station nearest the court house town of every county in this State and to prescribe who shall establish such stations, and to fix penalties for the violation of such requirement;

Joint resolution in regard to uniforms for watchmen at capitol;

s. 251. To amend sections 80, 81, 82 and 83 of the code of 1886.

SENATE BILLS SIGNED.

The president of the senate, in the presence of the senate, immediately after their titles had been publicly read by the secretary, signed the above senate bills the titles of which are set out in the foregoing report of the committee on enrolled bills,

The bill,

s. 448. To require public officials in the State of Alabama to be commissioned before entering on the duties of their respective offices and to designate the fee to be paid therefor,

Was read a third time and passed—yeas 17, nays 0.

Yeas:

Messrs. President, Bethune, Brown, Cunningham, Deens of Covington, Grant, Hawkins, Hogue, Hollis, Hundley, Lee, Matthews, McElderry, Moody, Robinson, Smith, Thomason, Walker—17.

The bill,

s. 451. To regulate certificates for the acknowledgment of married women to conveyances where two or more join in the execution thereof,

Was read a third time and passed—yeas 21, nays 0.

Yeas:

Messrs. President, Bethune, Brooks, Brown, Buchanan, Cunningham, Deans of Shelby, Deens of Covington, Grant, Hall, Hawkins, Hogue, Hollis, Hundley, Kilpatrick, Lee, Matthews, McElderry, Moody Nolen, Robinson, Thomason—21.

The bill,

s. 465. To regulate the number of bailiffs in attendance at each term of the circuit court of Madison county,

Was read a third time and passed—yeas 21, nays 0.

Yeas:

Messrs. Bethune, Brewer, Brown, Buchanan, Cunningham, Deans of Shelby, Deens of Covington, Grant, Hawkins, Hogue, Hollis, Hundley, Lee, Matthews, McElderry, Moody, Nolen, Robinson, Smith, Thomason—21.

The bill,

s. 425. To prevent stock from running at large in Crenshaw county,

Was taken up.

The amendment reported by the committee was adopted.

The bill, as amended, was read a third time and passed—yeas 19, nay 0.

Yeas:

Messrs. President, Bethune, Brewer, Brooks, Cunningham, Deans of Shelby, Deens of Covington, Grant, Hall, Hawkins, Hogue, Hollis, Hundley, Lee, Matthews, Moody, Nolen, Pettus, Thomason—19.

The bill,

s. 5. To prohibit the granting of free passage or giving free passage or selling tickets or passes at a discount, other than as sold to the public generally, by railroad and other transportion companies, their agents, servants or employes, to any member of the general assembly, or to any person holding office under this State or the United States,

Was taken up.

The amendment reported by the committee was adopted.

And the bill, as amended, was read a third time and lost—yeas 13, nays 14.

Yeas:

Messrs. Boykin, Brewer, Brooks, Brown, Hall, Hogue, Hollis, Matthews, McElderry, Moody, Pettus, Smith, Walker—13.

Nays:

Messrs. President, Bethune, Buchanan, Cunningham, Day, Deans of Shelby, Deens of Covington, Grant, Hawkins, Hundley, Kilpatrick, Nolen, Robinson, Thomason —14.

The bill,

s. 375. To amend sections 1 and 3 of an act to incorporate the South Alabama & Gulf Railroad Company, approved February 18th, 1895,

The amendment reported by the committee was adopted.

And the bill, as amended, was read a third time and passed—yeas 22, nays 0.

Yeas:

Messrs. President, Bethune, Boykin, Brown, Buchanan, Cunningham, Day, Grant, Hawkins, Hogue, Hollis, Hundley, Kilpatrick, Lee, Matthews, McElderry, Moody, Nolen, Robinson, Smith, Thomason, Walker—22.

The bill,

s. 369. To require all railroad companies in Ala-

bama to keep guards or watchmen at bridges and trestles,

Was read a third time and passed—yeas 20, nays 2.

Yeas:

Messrs. Bethune, Boykin, Brown, Buchanan, Cunningham, Day, Deens of Covington, Hall, Hawkins, Hogue, Hollis, Hundley, Kilpatrick, Lee, Moody, Nolen, Pettus, Robinson, Rogers—20.

Nays:

Messrs. Deans of Shelby and Grant—2.

The bill,

s. 462. To submit to the people of the State, at the general election to be held on the first Monday in August, 1898, for representatives for their consideration, an amendment to section seven, article eleven, of the Constitution, providing a special tax of one half of one per centum for the city of Birmingham, to be applied to the payment of interest on the bonds of said city, and for a sinking fund to pay off said bonds at the maturity thereof,

Was taken up.

The amendment reported by the committee was adopted.

And the bill, as amended, was read a third time and passed—yeas 25, nays 0.

Yeas:

Messrs. President, Abercrombie, Bethune, Boykin, Brewer, Brown, Buchanan, Cunningham, Day, Deans of Shelby, Deens of Covington, Grant, Hawkins, Hogue, Hollis, Hundley, Kilpatrick, Lee, Matthews, McElderry, Nolen, Pettus, Robinson, Smith, Thomason, Walker —25.

The bill,

s. 468. To further define general assignments, and to prevent the fraudulent disposition of property,

Was taken up.

The amendment reported by the committee was adopted.

The bill, as amended, was read a third time and passed—yeas 27, nays 0.

Yeas:

Messrs. President, Abercrombie, Boykin, Brewer, Brown, Buchanan, Cunningham, Day, Deans of Shelby, Deens of Covington, Grant, Hall, Hawkins, Hogue, Hollis, Hundley, Kilpatrick, Lee, Matthews, McElderry, Moody, Nolen, Pettus, Robinson, Smith, Thomason, Walker—27.

The bill,

s. 395. To authorize the court of county commissioners of Tuskaloosa county to issue and sell bonds of said county to an amount not exceeding $15,000 for the purpose of paying the interest and principal of the indebtedness incurred in building the present bridge across the Warrior river, at Tuskaloosa, Ala.,

Was read a third time and passed—yeas 23, nays 0.

Yeas:

Messrs. President, Abercrombie, Boykin, Brewer, Brown, Buchanan, Cunningham, Day, Deans of Shelby, Deens of Covington, Grant, Hawkins, Hogue, Hundley, Kilpatrick, Lee, Matthews, Moody, Nolen, Pettus, Smith, Thomason, Walker—23.

The bill,

s. 471. To establish a board of revenue in lieu of the court of county commissioners for Cullman county, and to define the powers and duties of said board,

Was taken up.

The amendments reported by the committee were adopted.

The bill, as amended, was read a third time and passed—yeas 17, nays 1.

Yeas:

Messrs. President, Abercrombie, Bethune, Boykin, Brown, Buchanan, Cunningham, Deens of Covington, Hawkins, Hogue, Hollis, Kilpatrick, Matthews, Pettus, Smith, Thomason, Walker—17.

Mr. Day voted no—1.

MESSAGE FROM THE HOUSE.

Mr. President:

The house concurred in the senate joint resolution:

Relative to conferring on the governor authority to draw warrant of the treasurer to purchase for the capitol watchmen one uniform each;

And has originated and passed the following bill and ordered the same to the senate without engrossment:

H. 1186. To prohibit the sale or other disposition of alcoholic, spirituous, vinous or malt liquors, or intoxicating bitters or beverages, within ten miles of the Alabama Industrial school building at Montevallo, in Shelby county, Alabama;

And has adopted the resolution herewith sent requesting the return to the house of H. 1057;

And has concurred in the senate amendments to

H. 850. To amend section one of an act entitled an act to establish three separate school districts in Cullman county, to be known as the Jones Chappel School District, the County Line School District, and the Good Hope School District, in Cullman county, Alabama, and to provide for the election of a board of trustees for each of said school districts with certain duties and powers, approved Feb. 18th, 1891;

And has adopted the following joint resolutions relative to the pay of the clerk of the joint committee of the general assembly appointed to consider and report necessary legislation on the revenue laws of the State;

Also;

Relative to the pay of Massey Wilson, clerk of the house of representatives, and the person who has performed the duties of said office during the illness of the said Wilson;

And has passed the following senate bill:

S. 380. To regulate the sale of spirituous, vinous and malt liquors in the corporate limits of the town of Roanoke, in Randolph county, Alabama;

And has originated and passed the following bill and ordered the same to the senate without engrossment:

H. 782. Making it unlawful for fire, fire marine and marine insurance companies not organized under the laws of the State of Alabama but legally licensed to transact fire, fire marine and marine insurance therein through regularly commissioned agents to place or cause

to be placed insurance against loss by fire on property in this State except through agents located in the State legally authorized to write policies of insurance therein, and prescribing penalties for violation of same, also to prescribe further conditions to be complied with by fire, fire marine and marine insurance companies before receiving licenses to do business in this State;

H. 824. To constitute the city of Luverne in Crenshaw county a separate school district for children and to provide for the management of said free school in said school district;

And has passed

S. 429. To incorporate the South Western Life and Trust Company and defining its business and powers.

MASSEY WILSON,
Clerk.

HOUSE MESSAGES.

The house bills in the forgoing house message were severally read once and referred to appropriate committees as follows:

H. 1186, to privileges and elections;

H. 785, to corporations;

H. 824, to education.

The house joint resolution set out in the foregoing house message were severally read once and referred to the committee on finance and taxation.

The house bill H. 1057 was ordered to be returned to the house.

REPORT OF SELECT COMMITTEE.

Mr. Smith from the select joint committee, to examine the code of laws prepared by the code commissioner, submitted the following report:

To the President of the Senate:

The joint committee heretofore appointed to examine the code of laws prepared by William L. Martin, beg leave to amend their report as follows:

By striking out the amendment made by the committee to section 4563 (4872), relating to sheriff's fees as set forth on page 80 of the printed report.

PETTUS,
McELDERRY,
THOS. H. SMITH,
Committee on the part of the senate.
M. L. STANSEL,
W. C. DAVIS,
P. H. PITTS,
O. KYLE,
VIRGIL BOULDIN,
Committee on the part of the house.

The report was concurred in.

REPORT OF CONFERENCE COMMITTEE.

Mr. Boykin, from a committee on conference, submitted the following report:

Mr. President:

The undersigned members of the conference committee on the disagreement of the two houses to senate amendment to house bill 396 beg leave to report that the house concurs in the senate amendment.

W. J. BOYKIN,
H. L. McELDERRY,
M. WALKER,
Committee on part of senate.
E. H. BAKER,
A. H. MERRILL,
Committee on part of the house.

The report was concurred in—yeas 24, nays 0.

Yeas:

Messrs. President, Abercrombie, Bethune, Boykin, Brewer, Brown, Buchanan, Cunningham, Day, Deens of Covington, Grant, Hawkins, Hogue, Hollis, Hundley, Matthews, McElderry, Moody, Nolen, Pettus, Robinson, Smith, Walker—24.

SPECIAL ORDER AT 5 :20 O'CLOCK.

The special order set for this hour being the bill,

s. 478. To adopt a code of laws for the State of Alabama,

Was taken up.

Mr. Brewer offered an amendment, which was adopted.

Mr. Hundley offered an amendment, as follows:

Insert after the word "assembly" in the 7th line of section 1, the following:

"Except as provided by sections 3 to 8, hereof."

Add to the bill sections 3, 4, 5, 6, 7, 8, as follows, which shall be included in said code as a part thereof:

Sec. 3. In all elections held within the State of Alabama—municipal, state or county, it shall be and is hereby made the duty of the probate judges, clerks of the circuit court, and sheriffs in said state and other officers charged with the appointment of inspectors of elections, to appoint said inspectors representing opposing political parties and such inspectors shall be appointed as may be suggested by the candidates or chairmen of the committees of said opposing political parties.

Sec. 4. That it shall be the duty of all election inspectors, or other election officers, charged with the duty of appointing clerks of election, markers or assistants for illiterate voters to appoint said clerks, or markers, or assistants, from opposing political parties; and such clerks, markers, or assistants, shall be appointed as may be suggested by the candidates or chairmen of the committees of said opposing political parties.

Sec. 5. That within thirty days prior to any election to be held in this State, either municipal, State or county, the candidates or chairmen of the committees of all political parties having nominees to be voted for at any such election may file with the probate judge in the county wherein such election shall be held a list of persons desired to be appointed as inspectors, clerks, markers, or assistants; from which list the appointment shall be made, as herein provided.

Sec. 6. That any judge of probate. clerk of circuit court, election inspector, sheriff, mayor, alderman, or

other officer charged by law with the appointment of inspectors, clerks, markers, or assistants, or other election officers, who shall fail or refuse or neglect, for any cause whatever, to appoint the said inspectors, clerks, markers or assistants, as may be suggested by the chairmen or candidates of opposing political parties, shall be guilty of a felony; and on conviction thereof shall be sentenced to the penitentiary for not less than one nor more than five years for each offense.

Sec. 7. That in case any candidate, or chairman of committee, of any political party having candidates to be voted for at any election, as herein set forth, shall fail to file said list, as herein specified, then in that event only shall the probate judge, clerk of circuit court, sheriff, election inspector, or other officers, use their discretion in making appointments of election officials; provided, however, that said appointments shall be made from opposing political parties.

Sec. 8. That after the polls have closed it shall be the duty of the election inspectors and other officers charged with counting the vote to proceed at once to count the ballots; and said counting shall be made at the place where said ballots are cast and at no other.

Mr. Pettus moved to lay the amendment on the table.

The amendment was tabled.

Yeas 19, nays 8.

Yeas:

Messrs. President, Abercrombie, Bethune, Boykin, Brewer, Cunningham, Deens of Covington, Grant, Hawkins, Hogue, Kilpatrick, Lee, Matthews, McElderry, Moody, Pettus, Smith, Thomason, Walker—19.

Nays:

Messrs. Buchanan, Day, Deans of Shelby, Hall, Hollis, Hundley, Nolen, Robinson—8.

The bill, as amended, was read a third time and passed —yeas 18, nays 6.

Yeas:

Messrs. President, Abercrombie, Bethune, Boykin Brewer, Brown, Cunningham, Deens of Covington, Grant, Hawkins, Hogue, Kilpatrick, Lee, Matthews, McElderry, Pettus, Smith, Thomason, Walker—18.

Nays:

Messrs. Day, Deans of Shelby, Hollis, Hundley, Nolen, Robinson—6.

Mr. Pettus requested that by unanimous consent the motion to reconsider was considered, made and lost.

Agreed to.

And the bill was ordered to be sent to the house forthwith without engrossment.

The second special order,

The bill,

s. 479. To provide for the publication and distribution of the code of Alabama,

Was read a third time and passed—yeas 18, nays 0.

Yeas:

Messrs. President, Boykin, Buchanan; Cunningham, Grant, Hall, Hawkins, Hogue, Hundley, Lee, Matthews, McElderry, Moody, Nolen, Pettus, Smith, Thomason, Walker—18.

Mr. Pettus requested that the motion to reconsider be considered as made and lost, by unanimous consent.

Agreed to.

And the bill was ordered to be sent to the house forthwith without engrossment.

RECONSIDERATION OF VOTE.

On motion of Mr. Cunningham, the vote by which the bill,

s. 5. To prohibit the granting of free passes or giving free passage or selling tickets or passes at a discount, other than as sold to the public generally, by railroad and other transportation companies, their agents, servants or employes, to any member of the general assembly, or to any person holding office under this State or the United States,

Was lost this afternoon, was reconsidered.

Mr. Hogue moved to amend the bill by striking out that part of it comprising the amendment adopted this afternoon.

On motion of Mr. Sayre, Mr. Abercrombie presiding, the amendment was laid on the table.

Mr. Hogue offered a further amendment.

Mr. Kilpatrick moved to lay the bill and amendment on the table.

Lost—yeas 10, nays 17.

Yeas:

Messrs. Buchanan, Day, Deans of Shelby, Grant, Hall, Hawkins, Kilpatrick, Nolen, Robinson, Thomason—10.

Nays:

Messrs. President, Abercrombie, Bethune, Boykin, Brewer, Brooks, Brown, Cunningham, Deens of Covington, Hogue, Hollis, Hundley, Matthews, McElderry Moody, Smith, Walker—17.

Mr. Hogue's amendment was adopted.

The bill was read the third time and passed—yeas 25, nays 3.

Yeas:

Messrs. President, Abercrombie, Bethune, Boykin, Brewer, Brooks, Brown, Buchanan, Cunningham, Deens of Covington, Grant, Hall, Hawkins, Hogue, Hollis, Hundley, Kilpatrick, Matthews, McElderry, Moody, Pettus, Robinson, Smith, Thomason, Walker—25.

Nays:

Messrs. Day, Nolen, Walker—3.

The senate resumed consideration

BILLS ON THIRD READING.

The bill,

s. 458. To fix the amount of city licenses on wholesale or retail dealers in spirituous, vinous or malt liquors within the corporate limits of Jasper, Alabama,

Was taken up.

Mr. Hollis offered an amendment.

Which was adopted.

The bill, as amended, was read a third time and passed—yeas 20, nays 0.

Yeas:

Messrs. President, Abercrombie, Bethune, Brown, Buchanan, Cunningham, Deans of Shelby, Deens of Covington, Grant, Hall, Hawkins, Hogue, Hollis, Kilpatrick, Matthews, McElderry, Nolen, Robinson, Smith, Walker—20.

The bill,

s. 464. To prohibit the selling or giving away of spirituous, vinous or intoxicating liquors in beat 17, in Coffee county, Alabama,

Was taken up.

The substitute reported by the committee was adopted.

The bill was read a third time and passed—yeas 21, nays 0.

Yeas:

Messrs. President, Abercrombie, Boykin, Brewer, Brown, Buchanan, Cunningham, Day, Deans of Shelby, Deens of Covington, Grant, Hawkins, Hogue, Hollis, Hundley, Matthews, Pettus, Robinson, Smith, Thomason, Walker—21.

The bill,

s. 454, To prohibit the sale or other disposition of alcoholic, spirituous, vinous or malt liquors, or intoxicating bitters or beverages, within ten miles of the Alabama Industrial school building, at Montevallo, in Shelby county, Alabama,

Was read a third time and passed—yeas 19, nays 0.

Yeas:

Messrs. Abercrombie, Bethune, Brewer, Buchanan, Cunningham, Day, Deans of Deans of Shelby, Deens of Covington, Hawkins, Hogue, Hollis, Hundley, Lee, Matthews, Moody, Nolen, Robinson, Thomason, Walker —19.

The bill,

s. 474. To amend section 2367 (2745) of the code of Alabama;

Was read a third time and passed—yeas 22, nays 0.

Yeas:

Messrs. President, Abercrombie, Bethune, Brooks, Buchanan, Cunningham, Day, Deans of Shelby, Deens of Covington, Grant, Hawkins, Hogue, Hollis, Hundley, Lee, Matthews, McElderry, Moody, Pettus, Robinson, Thomason, Walker—22.

The bill,

s. 476. For the relief of David B. Dunlap, a man of unsound mind, authorizing his brother, John J. Dunlap, to sell his undivided interest in a tract of land, and use the proceeds in paying his expenses at the Insane Hospital at Tuskaloosa,

Was read a third time and passed—yeas 20, nays 0.

Yeas:

Messrs. President, Abercrombie, Bethune Brewer, Buchanan, Cunningham, Deans of Sheby, Deens of Covington, Grant, Hawkins, Hogue, Hollis, Hundley, Lee, Matthews, Moody, Nolen, Robinson, Thomason, Walker —20.

The bill,

H. 822. To authorize the governor to parole convicts and to regulate the same,

Was read a third time and passed—yeas 22, nays 0.

Yeas:

Messrs. President, Abercrombie, Bethune, Boykin, Brooks, Buchanan, Cunningham, Grant, Hall, Hawkins, Hogue, Hollis, Lee, Matthews, McElderry, Nolen, Robinson, Smith, Thomason, Walker—20.

The bill,

H. 147. To amend an act entitled "an act to repeal sections 3286, 3287 and 3288 of the Code of 1876," approved February 17th, 1885,

Was read a third time and passed—yeas 20, nays 0.

Yeas:

Messrs. President, Bethune, Brewer, Buchanan, Cunningha, Day, Deans of Shelby, Deens of Covington, Grant, Hall, Hawkins, Hogue, Hollis, Lee, McElderry, Moody, Nolen, Robinson, Smith, Thomason—20.

RECOMMITMENT OF BILL.

Mr. Hogue, from the committee on local legislation, retured the bill,

H. 666. For the relief of Lula Morris, of Lauderdale county,

And asked its reference to the committee on finance and taxation.

It was so referred.

RECESS.

The hour of six o'clock having arrived, the senate took a recess until 7:30 o'clock this evening.

EVENING SESSION.

The senate reassembled at 7:30 o'clock P. M., and was called to order by the president.

A quorum was present.

The senate proceeded to consider

BILLS ON THIRD READING.

The bill,

H. 1105. To authorize the secretary of State to sell the volumes of the reports of the decisions of the supreme court of Alabama now in his possession, approved February 2d, 1883,

Was read a third time and passed—yeas 20, nays 1.

Yeas:

Messrs. President, Bethune, Boykin, Brewer, Buchanan, Cunningham, Day, Grant, Hawkins, Hogue, Hollis, Lee, Matthews, McElderry, Nolen, Pettus, Robinson, Smith, Thomason, Walker—20.

The bill,

H. 809. To amend section 5 of an act entitled an act to provide for the holding of a term of the circuit court of the fifth judicial circuit at Alexander City, in Tallapoosa county, and to regulate the same, approved February 15th, 1889,

Was taken up.

The amendment reported by the committee was adopted.

The bill as amended,

Was read a third time and passed—yeas, 18, nays, 0.

Yeas:

Messrs. President, Bethune, Boykin, Brewer, Buchanan, Case, Day, Deens of Covington, Hawkins, Kilpatrick, Lee, Matthews, McElderry, Moody, Pettus, Rogers, Thomason, Walker—18.

The bill,

H. 844. To exempt from taxation the Wallace school fund held in trust by the township trustees in township seven, range nine, Lawrence county, Alabama, for the benefit of the public schools of said township,

Was taken up.

The amendment reported by the committee was adopted, and the bill, as amended,

Was read a third time and passed—yeas 21, nays 0.

Yeas:

Messrs. President, Bethune, Boykin, Brewer, Brooks, Buchanan, Cunningham, Day, Deens of Covington, Grant, Hawkins, Hogue, Hollis, Lee, McElderry, Nolen, Pettus, Robinson, Smith, Thomason, Walker—21.

The bill,

To establish a training and reform school for boys:

s. 333. To declare its purposes; to regulate the commitment thereto; to provide for the appointment of a board of control and their compensation to prescribe their power and duties and provide for the government of said institution; to authorize the governor to commute the sentences of boys under 21 years of age, and to provide how the expenses of maintaining the institution shall be paid and to make appropriations thereof; to locate said institution at the Mount Vernon Barricks Military Reservation, and set apart said property to the use and benefit of said institution.

Was taken up.

It was moved by Mr. Brewer that s. 333 be made a special order for Tuesday. Chair ruled Mr. Brewer's motion out of order, at this time, and the several amendments offered by the committee were adopted, and the bill as amended,

Was read a third time and passed—yeas 16, nays 9.

Yeas:

Messrs. President, Boykin, Brooks, Buchanan, Day, Deans of Shelby, Hall, Hawkins, Hollis, Moody, Nolen, Pettus, Robinson, Rogers, Smith, Thomason—16.

Nays:

Messrs. Bethune, Brewer, Cunningham, Deens of Covington, Grant, Hogue, Matthews, McElderry, Walker—9.

The bill,

H. 202. To provide guards for the Montgomery county jail,

Was taken up.

Mr. Sayre, Mr. Hogue presiding, offered an amendment, which was adopted.

The bill, as amended,

Was read a third time and passed—yeas 21, nays 0.

Yeas:

Messrs. President, Bethune, Boykin, Brewer, Brooks, Brown, Buchanan, Cunningham, Day, Deans of Shelby, Deens of Covington, Hawkins, Hogue, Hollis, Matthews, McElderry, Moody, Nolen, Pettus, Robinson, Smith—21.

The bill,

H. 644. To change the boundary line of the counties of Bullock and Pike,

Was read a third time and passed—yeas 23, nays 0.

Yeas:

Messrs. President, Bethune, Boykin, Brewer, Brooks, Brown, Buchanan, Cunningham, Deans of Shelby, Deens of Covington, Grant, Hall, Hogue, Hollis, Matthews, McElderry, Moody, Nolen, Pettus, Robinson, Smith, Thomason, Walker—23.

The bill,

H. 560. To prohibit the sale of or giving away or otherwise disposing of vinous, spirituous or malt liquors or intoxicating bitters, beverages, or other intoxicating drinks within beat number one (commonly known as Girard beat), in Russell county,

Was taken up.

Mr. Boykin offered an amendment, which was adopted, and the bill, as amended,

Was read a third time and passed—yeas 21, nays 0.

Yeas:

Messrs. President. Bethune, Boykin, Brewer, Brooks, Brown, Buchanan, Cunningham, Day, Deans of Shelby, Deens of Covington, Grant, Hall, Hogue, Matthews, McElderry, Nolen, Pettus, Robinson, Smith, Walker—21.

The bill,

H. 1123. To amend 1 and 6 of an act entitled an act to incorporate the town of Fort Deposit, in the county of Lowndes, approved February 13th, 1891,

Was read a third time and passed—yeas 22, nays 0.

Yeas:

Messrs. President, Bethune, Brewer, Brooks, Brown, Buchanan, Cunningham, Day, Deens of Covington, Grant, Hall, Hawkins, Hogue, Hollis, Matthews, McElderry, Moody, Nolen, Robinson, Smith, Thomason, Walker—22.

The bill,

H. 731. To provide for the publication or posting of ordinances, by-laws or resolutions passed by the mayor and aldermen of the town of Dothan,

Was read a third time and passed—yeas 22, nays 0.

Yeas;

Messrs. President, Bethune, Boykin, Brewer, Brooks, Brown, Buchanan, Cunningham, Day, Deans of Shelby, Grant, Hall, Hawkins, Hogue, Hollis, Matthews, McElderry, Moody, Nolen, Pettus, Smith, Walker—22.

The bill,

H. 479. To repeal an act approved February 18th, 1895, entitled an act to amend section one of an act entitled an act to amend section two of an act entitled an act to amend sections one and twelve of an act entitled an act to regulate the taking of oysters from the public reefs in this State, for sale, or planting, approved December 10th, 1892, and to repeal an act entitled an act to regulate the planting and taking of oysters in the waters of this State, approved February 18th, 1891, which act hereby amended was approved December 14th, 1894, and to repeal sections ten and thirteen of an act entitled an act to regulate the taking of oysters from the public reefs in this State for sale or planting, approved December 10th, 1892,

Was read a third time and passed—yeas 24, nays 0.

Yeas:

Messrs. President, Bethune, Boykin, Brewer, Brooks, Brown, Buchanan, Cunningham, Day, Deens of Covington, Grant, Hall, Hawkins, Hogue, Hollis, Matthews, McElderry, Moody, Nolen, Pettus, Robinson, Smith, Thomason, Walker—24.

The bill

H. 299. To regulate the disposition of real estate or any interest therein belonging to the county of Cullman,

Was taken up.

The amendment reported by the committee, was adopted.

The bill, as amended,

Was read a third time and passed—yeas 21, nays 0.

Yeas:

Messrs. Bethune, Brooks, Brown, Buchanan, Cun-

ningham, Day, Deans of Shelby, Deens of Covington, Grant, Hawkins, Hogue, Hollis, Matthews, McElderry, Moody, Nolen, Pettus, Robinson, Smith, Thomason, Walker—21.

The bill,

H. 491. For the relief of J. C. Landford, Elizabeth Hunt, Mattie Mooney and Narcissa Durbin of Chilton county, widows of confederate veterans who failed to make applicatson under an act entitled an act for the relief of needy confederate soldiers and sailors, residents of Alabama, who from wounds or other causes are now unable to earn a livelihood and for the widows of such as were killed or died in said war and have not since remarried, approved February 13th, 1891,

Was read a third time and passed—yeas 20, nays 0.

Yeas:

Messrs. President, Bethune, Boykin, Brewer, Brooks, Brown, Buchanan, Cunningham, Deans of Shelby, Deens of Covington, Hall, Hawkins, Hogue, Hollis, Matthews, McElderry, Pettus, Robinson, Smith, Thomason—20.

The bill,

S, 473. To incorporate the Alabama Steel and Ship Building Company,

Was read a third time and passed—yeas 22, nays 0.

Messrs. President, Bethune, Boykin, Buchanan, Cunningham, Day, Deans of Shelby, Deens of Covington, Grant, Hall, Hawkins, Hogue, Hollis, Lee, Matthews, McElderry, Moody, Nolen, Pettus, Smith, Thomason, Walker—22.

The bill,

H. 829. To create the Mount Zion school district in Morgan and Lawrence counties,

Was read a third time and passed—yeas 21, nays 0.

Yeas:

Messrs. Bethune, Boykin, Brewer, Brooks, Buchanan, Cunningham, Day, Deans of Shelby, Deens of Covington, Grant, Hall, Hawkins, Hogue, Hollis, Lee, Matthews, McElderry, Pettus, Robinson, Thomason, Walker—21.

The bill,

H. 753. To amend section nine of an act entitled an act for the relief of needy confederate soldiers and sailors,

residents of Alabama, who from wounds or other cause are now unable to earn a livelihood, and for widows of such as were killed or died in said war and have not since remarried, approved February 13, 1891,

Was read a third time and passed—yeas 22, nays 0.

Yeas:

Messrs. President, Brewer, Brooks, Brown, Buchanan, Cunningham, Deans of Shelby, Deens of Covington, Grant, Hall, Hawkins, Hogue, Hollis, Lee, Matthews, McElderry, Nolen, Pettus, Robinson, Smith, Thomason, Walker—22.

The bill,

H. 228. To regulate, fix and prescribe the ex-officio compensation of the sheriff of Elmore county,

Was taken up.

The amendment reported by the committee was adopted.

The bill, as amended, was read the third time and passed—yeas 21, nays 0.

Yeas:

Messrs. Bethune, Boykin, Brooks, Buchanan, Cunningham, Day, Deans of Shelby, Deens of Covington, Grant, Hall, Hawkins, Hogue, Hollis, McElderry, Nolen, Pettus, Robinson, Smith, Sowell, Thomason, Walker—21.

The bill,

H. 862. To regulate the sale of spirituous, vinous and malt liquors within the corporate limits of the town of Lafayette, Alabama,

Was read a third time and passed—yeas 21, nays 0.

Yeas:

Messrs. President, Bethune, Boykin, Brewer, Brooks, Buchanan, Cunningham, Deans of Shelby, Deens of Covington, Grant, Hall, Hawkins, Hogue, Hollis, Hundley, Lee, Matthews, McElderry, Pettus, Thomason, Walker—21,

The bill,

H. 913. To repeal an act entitled an act to amend section 6 of an act entitled an act to provide for the making and maintaining the public roads and bridges of Jefferson county, Alabama, approved December 17th, 1894,

Was read a third time and passed—yeas 20, nays 0.

Yeas:

Messrs. President, Bethune, Buchanan, Cunningham,

Day,Deans of Shelby, Deens of Covington, Grant, Hall, Hogue, Hollis, Lee, Matthews, McElderry,Moody,Nolen, Pettus, Robinson, Thomason, Walker—20.

The bill,

H. 603. To prohibit the sale, giving away, or otherwise disposing of spirituous, vinous or malt liquors or any intoxicating bitters, within four miles of the Tuscaloosa district high school, situated at Berry Station, Fayette county, Alabama,

Was read a third time and passed.—yeas 21, nays 0.

Yeas:

Messrs. President, Bethune, Boykin, Buchanan, Cunningham, Day, Deans of Shelby, Deens of Covington, Grant, Hall, Hawkins, Hogue, Hollis, Lee, Matthews, McElderry, Moody, Robinson, Smith, Thomason, Walker —21.

The bill,

H. 897. For the relief of the receiver of the Seabord Railway Company of Alabama,

Was read a third time and passed—yeas 19, nays 0.

Yeas:

Messrs. Bethune, Boykin, Brooks,Buchanan,Cunningham, Day, Deens of Covington, Grant, Hall, Hogue, Hollis; Lee, Matthews, McElderry,Moody,Pettus,Smith, Thomason, Walker—19.

The bill,

H. 433. For the relief of Wm. Deas of Clarke county, Alabama,

Was read a third time and passed—yeas 23, nays 0.

Yeas:

Messrs. President, Bethune, Boykin, Brewer, Brooks, Buchanan, Cunningham, Day, Deans of Shelby, Deens of Covington, Grant, Hall, Hawkins, Hogue, Hollis, Matthews, McElderry, Nolen, Pettus, Robinson, Thomason, Walker—23.

The bill,

H. 1029. To amend section 2 of an act approved Feb. 18th, 1895, page 789, relating to Pleasant Grove school district, in Jackson county,

Was read a third time and passed—yeas 22, nays 0.

Yeas:

Messrs. President, Bethune,Boykin,Brooks,Buchanan,

Cunningham, Day, Deans of Shelby, Deens of Covington, Grant, Hall, Hawkins, Hogue, Hollis, Matthews, McElderry, Nolen, Pettus, Robinson, Smith, Thomason, Walker —22.

The bill,

H. 978. To incorporate the Sons and Daughters of Charity Lodge No. 1,

Was read a third time and passed—yeas 23, nays 0.

Yeas:

Messrs. President, Bethune, Boykin, Brooks, Buchanan, Cunningham, Day, Deans of Shelby, Deens of Covington, Grant, Hall, Hawkins, Hogue, Hollis. Lee, Matthews, McElderry, Nolen, Pettus, Robinson, Smith, Thomason, Walker—23.

The bill,

H. 708. To incorporate the Society of United Charities of Birmingham,

Was read a third time and passed—yeas 19, nays 0.

Yeas:

Messrs. President, Bethune, Brooks, Buchanan, Cunningham, Day, Grant, Hall, Hawkins, Hogue, Hollis, Lee, Matthews, McElderry, Pettus, Robinson, Smith, Sowell, Walker—19.

The bill,

H. 736. To authorize and empower the board of education of the city of Birmingham, Alabama, to collect tuition of the pupils of the public schools of said city, residents of the city of Birmingham, Alabama, while attending said schools, to supplement the public school funds of said city, for the support and maintenance of the public schools of said city,

Was read a third time and passed—yeas 23, nays 0.

Yeas:

Messrs. President, Bethune, Boykin, Brewer, Brooks, Buchanan, Cunningham, Day, Deans of Shelby, Deens of Covington, Grant, Hall Hawkins, Hogue, Hollis, Lee, Matthews, McElderry, Moody, Pettus, Robinson, Smith, Walker—23.

The bill,

S. 480. To incorporate the Bethel stock law district for the purpose of preventing stock from running at

large in said district, situated in Tuscaloosa county, Alabama,

Was read a third time and passed—yeas 23, nays 0.

Yeas:

Messrs. President, Bethune, Boykin, Brewer, Brooks, Buchanan, Cunningham, Day, Deens of Covington, Grant, Hall Hawkins, Hogue, Hollis, Lee, Matthews, McElderry, Moody, Nolen, Pettus, Robinson, Smith, Walker —23.

The bill,

H. 695. To further reglate the issue of license to retail spirituous or vinous liquors, in precinct 12 of Tallapoosa county,

Was taken up.

The amendment reported by the committee was adopted.

The bill, as amended, was read a third time and passed —yeas 23, nays 0.

Yeas:

Messrs. President, Bethune, Boykin, Brooks, Brown, Case, Cunningham, Day, Deans of Shelby, Deens of Covington, Grant, Hogue, Hollis, Lee, Matthews, McElderry, Moody, Nolen, Pettus, Robinson, Smith, Walker—23.

The bill,

H. 810. For the preservation of game, animals and birds in beat No. 17, in Hale county,

Was read a third time and passed—yeas 22, nays 0.

Yeas:

Messrs. President, Bethune, Boykin, Brooks, Brown, Buchanan, Cunningham, Day, Deans of Shelby, Deens of Covington, Hawkins, Hogue, Hollis Lee, McElderry, Moody, Nolen, Pettus, Robinson, Smith, Sowell, Walker —22.

The bill,

H. 900. To make the third week of the circuit court of St. Clair county a non-jury week; to arrange the business of the court for such week and to to limit the sittings of the grand jury of said county,

Amendment reported by the committee was adopted.

And the bill, as amended,

Was read a third time and passed—yeas 22, nays 0.

Yeas:

Messrs. Bethune, Brewer, Brooks, Buchanan, Cunningham, Day, Deans of Shelby, Deens of Covington, Grant, Hogue, Hollis, Lee, Matthews, McElderry, Moody, Nolen, Pettus, Robinson, Smith, Thomason, Walker—22.

The bill,

H. 480. To repeal sections 6, 7, 8, 11, 12, 13, 14, 15, 16, 19, 20, 23 and 24 of an act entitled an act to regulate the taking of oysters from the public reefs in this State, for sale or planting, approved December 10th, 1892,

Was read a third time and passed—yeas 22, nays 0.

Yeas:

Messrs. President, Bethune, Boykin, Brooks, Buchanan, Cunningham, Day, Deans of Shelby, Deens of Covington, Grant, Hogue, Hollis, Lee, Matthews, McElderry, Moody, Nolen, Pettus, Robinson, Smith, Thomason, Walker—22.

The bill,

H. 966. To provide for the appointment of overseers of public roads in Jefferson county, and to prescribe their duties,

Was read a third time and passed.—yeas 23, nays 0.

Yeas:

Messrs. President, Bethune, Boykin, Brooks, Brown, Buchanan, Cunningham, Day, Deans of Shelby, Deens of Covington, Grant, Hawkins, Hogue, Hollis, Lee, Matthews, McElderry, Moody, Pettus, Robinson, Smith, Thomason, Walker—23.

The bill,

S. 466. To establish a separate school district to be known as the Roanoke Normal College District, in Randolph county,

Was read a third time and passed.—yeas 21, nay 0.

Yeas:

Messrs. President, Bethune, Brooks, Buchanan, Cunningham, Day, Deans of Shelby, Grant, Hawkins, Hogue, Hollis, Lee, Matthews, McElderry, Moody, Nolen, Pettus, Robinson, Smith, Thomason, Walker—21.

The bill,

H. 481. To repeal an act approved December 14th, 1894, entitled an act to amend section two of an act en-

titled an act to amend sections 1 and 12 of an act entitled an act to regulate the taking of oysters from the public reefs in the State for sale or planting, approved December 10th, 1892, and to repeal an act entitled an act to regulate the planting and taking of oysters in the waters of this State approved February 18th, 1891, which act was approved February 14th, 1893,

Was read a third time and passed—yeas 21, nays 0.

Yeas:

Messrs. President, Bethune, Brooks, Buchanan, Cunningham, Day, Grant, Hall, Hawkins, Hogue, Hollis, Lee, Matthews, McElderry, Moody, Nolen, Pettus, Robinson, Smith, Thomason, Walker—21.

The bill,

H. 482. To repeal section two of an act approved February 14th, 1893, entitled an act to amend sections one and twenty of an act entitled an act to regulate the taking of oysters from the public reefs in the State for sale or planting, approved December 10th, 1892, and to repeal an act entitled an act to regulate the planting and taking of oysters in the waters of this State, approved February 18th, 1891,

Was read a third time and passed—yeas 21, nays 0.

Yeas:

Messrs. President, Bethune, Buchanan, Cunningham, Day, Deans of Shelby, Deens of Covington, Grant, Hawkins, Hogue, Hollis, Lee, Matthews, McElderry, Moody, Nolen, Pettus, Robinson, Smith, Sowell, Walker—21.

The bill,

H. 878. To establish a branch agricultural experiment station and an agricultural school for the colored race, to be located at Tuskegee, Macon county, Alabama, and to be run in connection with the Tuskegee Normal and Industrial Institute,

Was taken up,

The amendment reported by the committee was adopted,

And the caption was amended to read as follows:

A bill to be entitled an act to establish two branch agricultural experiment stations for the colored race and to make appropriations therefor.

The bill, as amended,

Was read a third time and passed—yeas 17, nays 0.

Yeas:

Messrs. President, Bethune, Buchanan, Cunningham, Grant, Hall, Hawkins, Hogue, Hollis, Lee, McElderry, Moody, Nolen, Pettus Robinson, Smith, Thomason—17.

REPORT OF COMMITTEE ON ENROLLED BILLS.

Mr. Matthews, from the committee on enrolled bills, reports the following bills as correctly enrolled:

s. 380. To regulate ihe sale of spirtuous, vinous or malt liquors in the corporate limits of the town of Roanoke, in Randolph county, Alabama;

s. 427. To incorporate the South Western Life and Trust Company and defining its business and powers.

SIGNING OF BILLS.

The president of the senate, in the presence of the senate, immediately after their titles had been publicly read by the secretary, signed the senate bills, whose titles are set forth in the foregoing report of committee on enrolled bills.

MESSAGE FROM THE HOUSE.

Mr. President:

The house has originated and passed the following bills and orders the same forthwith without engrossing:

H. 1144. To exclude and take from the George N. Gilmer school district, of Lowndes county, sections 15, 16, 17 and 18 of township 12, range 13;

H. 1078. For the improvement of roads and bridges in Tuscaloosa county;

H. 1201. To incorporate the Montgomery—Elmore Bridge & Improvement Company;

H. 839. For the inspection and sale of illuminating oils in the State of Alabama;

H. 1209. To declare the school house at Mt. Moriah to be on the line between the counties of Butler and Wilcox and to authorize the trustees of township 11, range

11, of Wilcox county and township 11, range 12, of Butler county, to locate a school at Mt. Moriah and contract with and employ teachers,

And has concurred in the senate amendments to the following house bills:

H. 844. To exempt from taxation the Wallace School Fund, held in trust by the township trustees in township seven, range nine, Lawrence county, Alabama, for the benefit of the public school of said township;

H. 809. To amend section 5 of an act entitled an act, to provide for the holding of a term of the circuit court of the fifth judicial circuit, at Alexander City, in Tallapoosa county, and to regulate the same, approved February 15th, 1889,

And has passed,

S. 293. To incorporate the Southside Reading Club of Birmingham, Alabama;

S. 254. To provide for the payment of grand jury certificates heretofor issued by the foreman of grand jury, when the same have been registered, in Madison county;

S. 275. To amend an act entitled an act for the protection of land and plantations from depredations by stock in Bullock county, approved December the 8th, 1880; approved February 11, 1883;

S. 244. To amend an act to create a separate school district in the town of Brewton, Alabama, to define its boundaries and provide for the mainteanance of schools therein approved February 6th, 1895,

And has originated and passed the following bills and ordered the same to the senate without engrossment:

H. 390. To amend an act entitled an act to confirm and amend the charter of the Alabama Home Building and Loan Association, approved February 21st, 1895;

H. 653. To provide for the security and protection of the public bridges, public mills and mill dams in the county of Dale in the State of Alabama.

MASSEY WILSON,
Clerk.

HOUSE MESSAGES.

The house bills in the foregoing house message were

severely read once and referred to appropriate committees as follows:

H. 390, 1201, to corporations;
H. 653, to agriculture;
H. 1144, 1209, to education;
H. 1078, to local legislation;
H. 839, to commerce and common carriers.

MESSAGE FROM THE HOUSE.

Mr. President:

The speaker having signed the following house bill your signature is requested:

H. 753. An act entitled an act to amend section nine of an act entitled an act for the rellef of needy confederate soldiers and sailors, residents of Alabama, who from wounds or other cause are now unable to earn a lovelihood, and for widows of such as were killed in said war and have not since remarried, approved February 13, 1891.

MASSEY WILSON,
Clerk.

SIGINING OF BILLS.

The president of the senate, in the presence of the senate, and immediately after their titles had been publicly read by the secretary, signed the above house bills whose titles are set forth in the foregoing house message.

ADJOURNMENT.

At 10:25 o'clock P. M., on motion of Mr. McElderry, the senate adjourned until to-morrow morning at 10 o'clock.

FORTY-SEVENTH DAY.

Saturday, February 13th, 1897.

The senate met persuant to adjournment.

Prayer by the Rev. Mr. Smith of the house.

Present:

Messrs. President, Abercrombie, Bethune, Boykin, Brewer, Brooks, Brown,, Buchanan, Cunningham, Day, Deans of Shelby, Deens of Covington, Grant, Hall, Hawkins. Hogue, Hollis, Hundley, Kilpatrick, Lee, Matthews, McElderry, Moody, Nolen, Pettus, Robinson, Smith, Sowell, Thomason, Walker—30.

READING OF THE JOURNAL.

On motion of Mr. Cunningham, the reading of the journal of yesterday was dispensed with, and it was approved.

INTRODUCTION OF BILL.

By leave, Mr. Day, (by request) introduced the bill,

H. 495. To change the boundary line between the counties of Blount and Cullman,

Which was referred to the judiciary committee.

REPORTS OF COMMITTEES.

Bills were reported from committees and read a second time as follows:

By Mr. Pettus from judiciary, favorably—

H. 1111. To provide for the registration and lien of judgments for payment of money in the courts of justic of the peace in Marion county, Alabama;

Also,

H. 754. To relieve Franklin Johnson, of Monroe county, Alabama, a minor seventeen years of age, of the disabilities of non-age;

Also,

S. 460. To prevent stock from running at large in section 12, township 19, range 11, lying partly in Dallas county and partly in Autauga county, and in all of sections 13, 14, 21, 22, 27, 28, and in the east half of section 15, and in the north half of sections 23, 24, 33 and 34, all in township 19 and range 11, in Dallas county, and

in all that part of the south-west quarter of section 18, and in all that part of the north-west quarter of section 19, all in township 19, range 12, lying west of Mulberry creek, in Dallas county;

Also,

H. 717. To authorize Ozark Lodge No. 349 of Free and Accepted Masons, within and belonging to the jurisdiction of the Grand Lodge of Free and Accepted Masons of the State of Alabama, to issue and sell bonds for the payment of its outstanding debts, and to provide for the payment thereof, and the interest thereon;

Also,

S. 34. To prevent the dismissal of actions at law and suits in equity for the reason that some court other than the one in which the cause originated, has jurisdiction of the subject matter, and to prescribe the practice in such cases;

Also,

S. 35. To authorize equitable defenses to be set up in actions at law and to provide for the practice in such cases;

Also,

S. 489. To repeal an act entitled an act to provide for the more efficient assessment and collection of taxes in the State of Alabama, approved February 1897,

By Mr. Walker, from corporation, favorably—

S. 493. To confer certain powers on the Columbus Water Works Company;

Also,

H. 390. To confirm and amend the charter of The Alabama Home Building and Loan Association, approved February 21st, 1893;

Also,

H. 1204. To amend an act entitled an act to amend an act entitled an act to incorporate the city of Fort Payne, DeKalb county, Alabama, approved February 3d, 1891, and to fix the duties, fees and salaries of the officers of said city of Fort Payne;

Also,

H. 782. An act making it unlawful for fire, fire marine and marine insurance companies not organized under the laws of the State of Alabama; but legally li-

censed to transact fire, fire marine and marine insurance therein and doing business therein through regularly commissioned agents to place or cause to be placed insurance against loss by fire on property in this State, except through agents located in the State legally authorized to write policies of insurance therein and prescribing penalties for violation of same; also, to prescribe further conditions to be complied with by fire, fire marine and marine insurance companies before receiving licenses to do busines in this State;

Also,

H. 1201. To incorporate the Montgomery-Elmore Bridge and Improvement Company;

Local legislation, favorably,

H. 1078. For the improvement of roads and bridges in Tuskaloosa county;

By Mr. Hawkins, from agriculture, favorably—

s. 494. To prevent any stallion over two years old, or jackass over two years old, or bull or boar over six months old from running at large in Cullman county;

Also,

H. 653. To provide for the security and protection of the public bridges, public mills and mill dams in the county of Dale, in the State of Alabama;

Also,

H. 959. To encourage and protect the raising and growing of fruit in the State of Alabama;

By Mr. Kilpatrick, from municipal and county organization, favorably—

s. 492. To authorize the board of mayor and aldermen of the town of Woodlawn to issue funding bonds of said town for the purpose of paying the delinquent coupons and interests on its present bonded indebtedness;

Also,

H. 734. To repeal the charter of the town of Woodville, in Jackson county;

Also,

H. 1203. To authorize the court of county commissioners of Madison county to regulate the weight and tonnage of loaded and empty wagons and other vehicles passing over the public roads of said county;

By Mr. Lee, from military, favorably—

H. 632. To make an appropriation for the expenses of encampment of the Alabama State troops, for the years 1897 and 1898;

Finance and taxation, favorably, with amendment—

H. 259. For the relief of J. R. Herring, of the town of Louisville, county of Barbour, State of Alabama;

Also,

H. 745 (with substitute). For the relief of John C. Vines, and to authorize the governor to relinquish to the United States the S. E. ¼ of S. W. ¼ of sec. 7, township 17, S. R. 6 W., in Jefferson county, Alabama;

Also, with adverse report,

s. 485. To amend section 12 of an act entitled an act to provide for the more efficient assessment and collection of taxes in the State of Alabama, approved February 3rd, 1897;

By Mr. Pettus, from judiciary, favorably—

H. 170. To prohibit the requiring of abstracts in cases of appeal to the supreme court of Alabama, except in certain cases;

By Mr. Abercrombie, from education, favorably—

H. 1209. To declare the school house at Mt. Moriah to be on the line between the counties of Butler and Wilcox and to authorize the trustees of township 11, range 11 of Wilcox county and township 11, range 12 of Butler county to locate a school at Mt. Moriah and contract with and employ teachers;

Also,

H. 1144. To exclude and take from the George N. Gilmer school district of Lowndes county sections 15, 16, 17 and 18 of township 12, range 13;

By Mr. Boykin, from commerce and common carriers, without recommendation—

H. 839. To provide for the inspection and sale of illuminating oils in the State of Alabama;

Local legislation, favorably—

s. 490. For the improvement of roads and bridges in Marshall county, Alabama;

Also, with amendment,

s. 491. To amend section one of an act entitled an act to authorize the court of county commissioners of Randolph county to issue bonds for the purpose of erect-

ing a new court house for said county, at Wedowee, Alabama, and to levy a tax to liquidate the debt to accrue thereby, approved ——— , 1897;

By Mr. Cunningham, from penitentiary, favorably—

H. 365. To establish the convict and prison bureau, to provide for the administration of the business of such bureau and the inspection of prisons and jails;

By Mr. Kilpatrick, from municipal and county organization, favorably—

H. 1040. To authorize, ratify and confirm the schedule of licenses for the city of Birmingham, and the ordinances of the board of mayor and aldermen of said city, adopting and establishing the same;

By Mr. Hawkins, from agriculture, adversely—

S. 488. To amend an act to prohibit, stock from running at large in beats 1, 2, 3, 4, 5, 6, 7, 8, 11, 12, 13 and 15 Elmore county, Ala., approved January 28th, 1897,

MESSAGE FROM THE HOUSE.

Mr. President:

The house has originated and passed the following bills and ordered the same forthwith to the senate without engrossing:

H. 1119. To ratify and amend the incorporation of "Steiner Brothers," a corporation organized to do a banking business under the general laws of the State of Alabama, so as to confirm in said corporation all the rights, powers and privileges given by law to such corporations and also to confer additional powers upon said corporation;

H. 1172. For the improvement of roads and bridges in Marshall county, Alabama;

H. 765. To regulate the fine and forfeiture fund of Choctaw county;

H. 1099. To incorporate The Land Bank and Farmers Mutual Aid Association of America;

H. 1023. To repeal an act entitled an act to amend sections one and two of an act to establish partial stock law districts in Talladega county, approved February 7th, 1895, so far as the same relates to beat 7 in said county;

H. 1011. To allow the clerk of the Bessemer division of the circuit court of Jefferson county ex-officio fees;

H. 485. To amend section 2332 of the Code of 1896;

H. 571. To establish a separate school district to be known as the Heath District, in Coffee county, Alabama;

And has amended as therein shown, and as amended has passed,

S. 356. To create a separate school district in Marion county, Alabama, to be known as the Hamilton School District;

And has concurred in the senate amendment to

H. 714. To incorporate the town of Jackson in Clarke county, Alabama;

H. 789. To establish a separate school district known as the Jackson School District in Clarke county, Alabama,

H. 1028. For the relief of Joe Lambert as tax collector of Wilcox county, Alabama;

H. 73. To amend an act entitled an act to amend an act to provide a fund for the payment of witnesses for the State, and other officers in State cases in Jackson county, and to prescribe their compensation, approved March 1, 1881; approved February 21, 1893, and to repeal an act entitled an act to regulate the fine and forfeiture funds of certain counties, approved February 13, 1879, so far as the same relates to Jackson county;

H. 850. To amend section one of an act entitled an act to establish three separate school districts in Cullman county to be known as the Jones Chappel School District, the County Line School District, and the Good Hope School District, in Cullman county, Alabama, and to provide for the election of a board of trustees for each of said school districts with certain duties and powers, approved February 18th, 1891;

And has passed

S. 336. To include certain territory in the corporate limits of the city of Montgomery;

And has originated and passed

H. 962. To allow judges to inter-change times, terms and places of holding courts;

H. 779. To incorporate the great Council of Alabama of the Improved Order of Red Men;

H. 1156. To provide for the better working of the public roads in beats one, nine, ten an eleven in Bibb county;

H. 423. To change the line dividing the Eastern Stock Law District of Wedowee beat, precinct No. 6, Randolph county, Alabama, from the Western Stock Law District of said beat, as the same was made by the commissioners court of said Randolph county, Alabama, and spread upon the minutes of said court;

And has concurred in the senate amendments to the following house bills:

H. 228. To regulate, fix and prescribe the ex-officio compensation of the sheriff of Elmore county;

H. 900. To make the third week of the circuit court of St. Clair county a non-jury week; to arrange the business of the court for such week, and to limit the sittings of the grand jury of said county;

H. 695. To further regulate the issue of license to retail spirituous or vinous liquors in precinct 12 of Tallapoosa county;

H. 809. To amend section 5 of an act entitled an act to provide for the holding of a term of the circuit court of the fifth judicial circuit at Alexander City, in Tallapoosa county, and to regulate the same, approved Feb. 15, 1889;

H. 844. To exempt from taxation the Wallace school fund, held in trust by the township trustees in township seven, range nine, Lawrence county, Alabama, for the benefit of the public schools of said township:

H. 202. To provide guards for the Montgomery county jail;

H. 560. To prohibit the sale of or giving away or otherwise disposing of vinous, spirituous or malt liquors or intoxicating bitters, beverages or other intoxicating drinks, within beat number one, commonly known as Girard Beat, in Russell county.

MASSEY WILSON,
Clerk.

HOUSE MESSAGES.

The house bills in the foregoing house message were severally read once and referred to appropriate committee as follows:

H. 962, 1011, 485, to judiciary;

H. 779, 1099 to corporation;

H. 1156, 423, 1023, 1172, 765, to local legislation;

H. 571, 789, to education:

H. 1119, to finance and taxation.

The senate concurred in the house amendment to the senate bill s. 356, the title of which is set out in the above and foregoing house message.

Yeas 21, nays 0.

Yeas:

Messrs. President, Abercrombie, Bethune, Boykin, Brooks, Buchanan, Cunningham, Day, Deans of Shelby, Deens of Covington, Grant, Hawkins, Hollis, Lee, McElderry, Nolen, Pettus, Robinson, Smith, Thomason, Walker—21.

MOTION TO RECONSIDER.

Mr. Robinson moved to reconsider the vote on the passage of the bill,

s. 333. To establish a training and reform school for boys.

On motion of Mr. Hawkins the motion to reconsider was laid on table.

Yeas 17, nays 9.

Yeas:

Messrs. Abercrombie, Boykin, Brooks, Buchanan, Day, Deans of Shelby, Grant, Hall, Hawkins, Kilpatrick, Lee, McElderry, Moody, Nolen, Pettus, Smith, Thomason—17.

Nays:

Messrs. Brewer, Cunningham, Deens of Covington, Hogue, Hundley, Matthews, Robinson, Rogers, Walker—9.

MESSAGE FROM THE HOUSE.

Mr. President:

The house has originated and passed the following bills:

H. 635. To provide for the publication in the next volume of the Alabama Supreme Court Reports of the code of ethics adopted by the Alabama State Bar Association, December 14th, 1887;

H. 704. To amend section 4100 of the code of Alabama;

H. 705. To amend section 4101 of the code of Alabama;

H. 910. To require banks to publish statements and to provide for the examination of banks; also, to provide for a punishment of violations of this act;

And has passed,

S. 449. To provide an additional appropriation for the University of Alabama;

S. 312. To prevent the use of wheels of fortune, chance games, and raffling, or devises of like kind;

And has originated and passed the bills;

H. 1110. To prevent the officers of incorporated banks from borrowing the money of the banks of which they are officers;

H. 1183. To amend subdivision 19 of section 137 of the code;

H. 234 To amend sections 3018, 3019, 3022, 3026, and 3041 of the code of 1886, as amended by "an act to amend and re-enact sections 3018, 3022, 3025, 3026, 3027, 3028, and 3041, and to amend section 3048 of the code of Alabama," approved February 18, 1895, (acts 1894–95, p. 1228); and to amend section 3038 of the code of Alabama and to repeal section 3025, as amended and re-enacted, all pertaining to mechanics and material men's liens.

MASSEY WILSON,
Clerk.

HOUSE MESSAGES.

The house bills in the foregoing house message were

severally read once and referred to appropriate Committees as follows:

H. 635, 704, 705, 910, 1110, 234, to judiciary;

H. 1183, to agriculture.

SPECIAL ORDER.

The se ıate considered the special order for this hour, which was the bill,

H. 642. To promote and secure the erection and operation of cotton mills and factories in the State of Alabama.

The amendment reported by the committee was adopted.

Mr. Buchanan offered amendment, to strike out $50,000, and inserting $25,000.

Lost.

The previous question on the passage of the bill was demanded and ordered to be put.

The bill, as amended,

Was read a third time and passed—yeas 19, nays 12.

Yeas:

Messrs. President, Brown, Buchanan, Cunningham, Day, Deans of Shelby, Grant, Hall, Hawkins, Hogue, Hollis, Hundley, Lee, Nolen, Pettus, Smith, Sowell, Thomason, Walker—19.

Nays:

Messrs. Abercrombie, Bethune, Boykin, Brewer, Brooks, Deens of Covington, Kilpatrick, Matthews, McElderry, Moody, Robinson, Rogers—12.

MESSAGE FROM THE HOUSE.

Mr. President:

The speaker having signed the following house bills, your signature is requested to the same:

H. 228. To regulate, fix and prescribe the ex-officio compensation of the sheriff of Elmore county;

H. 202. To provide guards for the Montgomery county jail;

H. 433. For the relief of Wm. Deas, of Clarke county, Alabama;

H. 481. To repeal an act approved December 14th, 1894, entitled an act to amend section two of an act entitled an act to amend sections one and twelve of an act entitled an act to regulate the taking of oysters from the public reefs in the State for sale or planting, approved December 10th, 1892, and to repeal an act entitled an act to regulate the planting and taking of oysters in the waters of this State, approved February 18th; 1891, which act was approved February 14th, 1893;

H. 708. To incorporate the Society of United Charities of Birmingham;

H. 785. To provide and establish a stock law for Calhoun county;

H. 809. To amend section 5 of an act entitled an act to provide for the holding of a term of the circuit court of the fifth judicial circuit at Alexander City in Tallapoosa county and to regulate the same, approved February 15th, 1889;

H. 810. For the preservation of game, animals and birds in beat No. 17, in Hale county;

H. 844. To exempt from taxation in the Wallace school fund held in trust by the township trustees in township seven, range nine, Lawrence county, Alabama, for the benefit of the public schools of said township;

H. 897. For the relief of the receiver of the Seaboard Railway Company of Alabama;

H. 644. To change the boundary line of the counties of Bullock and Pike;

H. 966. To provide for the appointment of overseers of public roads in Jefferson county, and to prescribe their duties;

H. 665. Te authorize J. W. White to establish a Ferry across the Tennessee river,

H. 401. To amend sections 3 and 4 of an act entitled an act to prevent stock from running at large in the several beats of Randolph and Calhoun counties and authorize elections thereon;

H. 550. To establish the Bremen school district in Cullman county, Alabama;

H. 882. To establish a separate school district to be known as Mt. Pleasant School District in Colbert county, Alabama;

H. 710. To establish a separate school district in Barbour county, to be known as the Clio school district;

H. 1028. For the relief of Joe Lambert, as tax collector for Wilcox county, Alabama;

H. 353. To amend section one of an act entitled an act for the preservation of game in Conecuh county, approved December 11, 1894,

H. 822. To authorize the governor to parole convicts, and to regulate the same;

H. 406. To establish a separate school district to be known as the Summit school district in Blount county, Alabama;

H. 147. To amend an act entitled an act to repeal sections 3286, 3287 and 3288 of the code of 1876, approved February 17th, 1885;

H. 601. To establish a system for working roads in Crenshaw county and to authorize the commissioners court of Crenshaw county to levy and collect a tax for working the public roads of said county and to let out said roads by contract;

H. 73. To amend an act entitled "an act to amend an act to provide a fund for the payment of witnesses for the State and other officers, in State cases, in Jackson county, and to prescribe their compensation, approved March 1, 1881; approved February 21st, 1893, and to repeal an act entitled an act to regulate the fine and forfeiture fund of certain counties, approved February 13th, 1879, so far as the some relates to Jackson county;

H. 850. To amend section one (1) of an act entitled an act to establish three separate school districts in Cullman county, to be known as the Jones Chapel School District, the County Line School District and the Good Hope school district, in Cullman county, Alabama, and to provide for the election of a board of trustee for each of said school district, with certain duties and powers, approved February 18th, 1891,

MASSEY WILSON,
Clerk.

HOUSE BILLS SIGNED.

The president of the senate, in the presence of the senate, immediately after their titles had been publicly read by the secretary, signed the above house bills, the titles of which are set forth in the foregoing house message.

MESSAGE FROM THE GOVERNOR.

THE STATE OF ALABAMA, EXECUTIVE DEPARTMENT,
OFFICE OF THE GOVERNOR.
MONTGOMERY, ALA., February 12, 1897.

Mr. President:

The governor has approved the following bills which originated in the senate:

Senate Bills Nos. 319, 251, 152, 362, 414, 322, 429, 380, and the senate joint resolution authorizing the governor to draw his warrant on the State treasury to pay for one uniform for the watchmen of the capitol.

Very respectfully,,
JAMES B. Simpson,
Recording secretary.

BILLS ON A THIRD READING.

The bill,

H. 1025. To establish a separate school district to be known as the Point Clear district in Baldwin county, Alabama,

Was read a third time and passed—yeas 22, nays 0.

Yeas:

Messrs. Abercrombie, Bethune, Buchanan, Cunningham, Day, Deans of Shelby, Deens of Covington, Grant, Hawkins, Hogue, Hollis, Kilpatrick, Lee, Matthews, Moody, Nolen, Pettus, Robinson, Rogers, Smith, Thomason, Walker—22.

H. 1185. To prohibit the sale, giving away or otherwise disposing of spirituous, vinous or malt liquors or intoxicating bitters or beverages within six miles of

Dothan High School, except in Dothan and other incorporated towns; and within five miles of the court house in Edwardsville, Cleburne county; and within one mile of the Baptist church in the town of Victoria in Coffee county; and within three miles of the Pleasant Hill Methodist church in Coosa county; within three miles of Baileyton, Cullman county; and within three miles of Indian Creek Baptist church in precinct number five in Bullock county; and within six miles of the agricultural school in the town of Abbeville, except within the corporate limits of the town of Abbeville, Henry county; and within Frankfort beat number three in Franklin county, and within three miles of Hill's Chapel and Silome churches situated in Hill's beat Franklin county; and in that part of Tuscaloosa county which lies outside of incorporated cities and towns; and within three miles of Bethany M. E. Church South, in beat twelve Coosa county; and within precinct number eight including the incorporations of the towns of Fitzpatrick and Thompson, in Bullock county; within three miles of the town of Woodville, in Jackson county; and the sale of spirituous bitters or intoxicating beverages in Montgomery county, outside of police jurisdiction of the city of Montgomery.

Was taken up.

Mr Abercrombie offered an amendment, to strike out of the captian and body of bill the words "within five miles of the court house in Edwardsville, in Cleburne county,"

Which was adopted.

Mr. Hawkins offered an amendment, as to beat one in Barbour county,

Which was adopted.

The bill, as amended, was read a third time and passed.—yeas 18, nays 0.

Yeas:

Messrs. Abercrombie, Brooks, Brown, Buchanan, Cunningham, Day, Deans of Shelby, Deens of Covington, Grant, Hawkins, Hollis, Kilpatrick, Matthews, Moody, Nolen, Pettus, Smith, Walker—18.

The bill.

H. 124. For the protection of girls under fourteen years of age,

Was taken up.

Substitute report by committee pending.

Mr. Hogue offered an amendment to the substitute, to strike out section 2 thereof.

The previous question was demanded on the adoption of the amendment and the passage of the bill,

And it was ordered.

The amendment offered by Mr. Hogue, to strike out section 2, of the substitute was adopted.—yeas 21, nays 7.

Yeas:

Messrs. President, Bethune, Boykin, Brooks, Brown, Buchanan, Cunningham, Day, Deans of Shelby, Deens of Covington, Hall, Hawkins, Hogue, Hollis, Hundley, Lee, McElderry, Pettus, Smith, Sowell—21.

Nays:

Messrs. Abercrombie, Grant, Moody, Nolen, Rogers, Thomason, Walker—7.

The substitute was adopted.

RECESS.

The hour of 1 o'clock having arrived the senate took a recess until 3 o'clock this afternoon.

AFTERNOON SESSION.

The senate reassembled at 3:30 o'clock P. M., and was called to order by the president.

A quorum was present.

UNFINISHED BUSINESS.

The senate resumed consideration of the bill under consideration at the hour of one o'clock to-day, which was the bill,

H. 124. For the protection of girls under fourteen years of age,

It was read a third time and passed—yeas 21, nays 1-

Yeas:

Messrs. President, Abercrombie, Bethune, Boykin, Brewer, Brooks, Deans of Shelby, Deens of Covington, Hall, Hawkins, Hogue, Hollis, Hundley, Kilpatrick, Matthews, McElderry, Pettus, Robinson, Smith, Thomason, Walker—21.

Mr. Nolen, voted nay—1.

SPECIAL ORDER.

On motion of Mr. Hundley, the bill,

H. 631. To provide for the calling of a convention to revise and amend the constitution of the State,

Was made a special and continuing order for Tuesday morning next, immediately after the reading the journals

REPORT FROM THE COMMITTEE ON ENROLLED BILLS.

Mr. Matthews from the committee on enrolled bill. reported as correctly enrolled the following bills:

s. 336. To include certain territory in the corporate limits of the city of Montgomery;

s. 244. To amend an act to create a separate school district in the town of Brewton, Alabama, to define its boundaries and provide for the maintenance of schools therein, approved February 6th, 1895;

s. 275. To amend an act, entitled an act for the protection of land and plantations from depredations by stock in Bullock county, approved December the 8th, 1880, approved February 11th, 1883;

s. 293. To incorporate the Southside Reading Club of Birmingham, Alabama;

s. 254. To provide for the payment of grand jury certificates heretofore issued by the foreman of grand jury when the same have been registered in Madison county;

s. 356. To create a separate school district in Marion county, Alabama, to be known as the Hamilton school districtr

s. 449. To provide an additional appropriation to the

University of Alabama;

s. 312. To prevent the use of wheels of fortune, chance games, and rafflings or devices of like kind.

SENATE BILLS SIGNED.

The president of the senate, in the presence of the senate, immediately after their titles had been publicly read by the secretary, signed the above senate bills the titles of which are set forth in the foregoing report of the committee on enrolled bills,

REPORT FROM COMMITTEE ON RULES.

The president of the senate, Mr. Cunningham presiding, from the committee on rules, reported a special rule, as follows:

That the senate take a recess at 6, o'clock this evening and reassemble at 7:30 o'clock, and adjourn at pleasure.

The report was concurred in, and the rule was adopted.

MESSAGE FROM THE GOVERNOR.

STATE OF ALABAMA, EXECUTIVE DEPARTMENT,
OFFICE OF THE GOVERNOR,
MONTGOMERY, Feb. 13, 1897.

Mr. President:

The governor has approved the following bills which originated in the senate.

Senate bills number 336, 312 and 293.

Very respectfully,
JAMES SIMPSON,
Recording secretary

RECONSIDERATION OF VOTE.

On motion of Mr. Brooks, the senate reconsidered the

vote on the passage, to-day, of the bill,

H. 1185. To prohibit the sale, giving away or otherwise disposing of spiriuous, vinous or malt liquors, or intoxicating bitters or beverages within six miles of Dothan High School except in Dothan, and other incorporated towns; and within five miles of the court house in Edwardsville, Cleburne county,; and within one mile of the Baptist church in the town of Victoria, in Coffee county; and within three miles of Pleasant Hill Methodist church in Coosa county; within three miles of Baileyton, Cullman county; and within three miles of Indian Creek Baptist Church in precinct No. 5, in Bullock county; and within six miles of the agricultural school in the town of Abbeville, except in the town of Abbeville, Henry county; and within in Frankfort beat No. 3 in Franklin county; and within three miles of Hill's chapel and Siloam churches situated in Hill's beat Franklin county; and within three miles of Bethany M. E. Church South, in beat 12 Coosa county, and within precinct number eight, including the incorporations of the towns of Fitzpatrick and Thompsons in Bullock county; within three miles of the town of Woodville, in Jackson county and the sale of spirituous bitters or intoxicating beverages in Montgomery county outside of the police jurisdiction of the city of Montgomery;

Also,

The vote by which the bill was ordered to a third reading.

Mr. Brooks offered an amendment as follows:

Amend caption and body of the bill by inserting after the words, "except in Dothan" where they occur, the words, "in Henry county."

Which was adopted.

And the bill, as amended was read a third time and passed.—yeas 25, nays 0.

Yeas:

Messrs. President, Abercrombie, Bethune, Boykin, Brewer, Cunningham, Day, Deans of Shelby, Deens of Covington, Grant, Hall, Hawkins, Hogue, Hollis, Hundley, Kilpatrick, Lee, Matthews, McElderry, Moody, Nolen, Pettus, Smith, Thomason, Walker—25.

It was read a third time and passed—yeas 21, nays 1-

Yeas:

Messrs. President, Abercrombie, Bethune, Boykin, Brewer, Brooks, Deans of Shelby, Deens of Covington, Hall, Hawkins, Hogue, Hollis, Hundley, Kilpatrick, Matthews, McElderry, Pettus, Robinson, Smith, Thomason, Walker—21.

Mr. Nolen, voted nay—1.

SPECIAL ORDER.

On motion of Mr. Hundley, the bill,

H. 631. To provide for the calling of a convention to revise and amend the constitution of the State,

Was made a special and continuing order for Tuesday morning next, immediately after the reading the journals

REPORT FROM THE COMMITTEE ON ENROLLED BILLS.

Mr. Matthews from the committee on enrolled bill. reported as correctly enrolled the following bills:

s. 336. To include certain territory in the corporate limits of the city of Montgomery;

s. 244. To amend an act to create a separate school district in the town of Brewton, Alabama, to define its boundaries and provide for the maintenance of schools therein, approved February 6th, 1895;

s. 275. To amend an act, entitled an act for the protection of land and plantations from depredations by stock in Bullock county, approved December the 8th, 1880, approved February 11th, 1883;

s. 293. To incorporate the Southside Reading Club of Birmingham, Alabama;

s. 254. To provide for the payment of grand jury certificates heretofore issued by the foreman of grand jury when the same have been registered in Madison county;

s. 356. To create a separate school district in Marion county, Alabama, to be known as the Hamilton school districtr

s. 449. To provide an additional appropriation to the

H. 1114. To regulate the volunteer military forces of the State of Alabama.

MASSEY WILSON,
Clerk.

HOUSE MESSAGES.

The house bills in the foregoing house message were severally read once and referred to appropriate committees as follows:

H. 1114, to military.

The senate acced to the request of the house for a committee of conference on the house bill, H. 878, and the senate amendments thereto.

The president announces as the conferees on the part of the senate: Messrs. Hawkins, Pettus and Brown.

The senate, also, acceded to the request of the house for a committee of conference on the senate amendments to the house bill, H. 299.

And the president announced as the conferees on the part of the senate: Messrs. Brown, Hogue and Nolen.

MESSAGE FROM THE GOVERNOR.

STATE OF ALABAMA,

EXPCUTIVE OFFICE,

MONTGOMERY, Feby. 13, 1897.

Mr. President:

I am directed by the governor to communicate to the senate an executive message in writing.

CHAPPELL CORY,
Private Secretary.

EXECUTIVE SESSION.

At 4:10 o'clock P. M., on motion of Mr. Pettus, the senate proceeded to consider the message from the governor in executive session. At 4:15 o'clock P. M. the executive session was dissolved.

On motion of Mr. Pettus, the secretary was directed to spread on the journal the result of the executive session, and to notify the governor thereof.

The senate in executive session consented to and confirmed the nomination of James Crook, of Calhoun county, ar president of the railroad commission for the term ending March 1st, 1901.

MESSAGE FROM THE HOUSE.

Mr. President:

The house has amended as therein shown and as amended has passed

s. 203. To prohibit the sale of spirituous, vinous or malt liquors within that part of Tuskaloosa county which lies outside of incorporated towns and cities;

And has originated and passed and ordered the same to the senate without engrossment

H. 950. To prevent the buying or selling of cotton, meat, wheat and other commodity under contract agreement for future delivery thereof, either within or without this State;

H. 1224. To authorize the commissioners court of Morgan county to employ a court stenographer for the circuit court of said county, fix the compensation of said stenographer and to prescribe his duties;

H. 1166. To amend an act entitled an act to establish a new charter for the city of Calera, approved Feby. 21, 1893;

H. 1077. To prevent stock from running at large in beat No. 8 in Tallapoosa county;

H. 1205. To relieve Mrs. Ida Harris, of Franklin county, of the disabilities of non-age.

And has passed—

s. 416. To amend section 4 of an act entitled an act to establish a board of revenue for Barbour county, approved February 18th, 1895.

And has concurred in senate amendment to—

H. 1185. To prohibit the sale, giving away, or otherwise disposing of spirituous, vinous or malt liquors or intoxicating bitters or beverages, within six miles of Do-

than high school, except in Dothan, in Henry county, and other incorporated towns; and within one mile of the Baptist church in the town of Victoria, in Coffee county; and within three miles of Pleasant Hill Methodist church in Coosa county; and within three miles of Bayleton, Cullman county; and within three miles of Indian Creek Baptist church in Precinct No. 5 in Bullock county; and within six miles of the Agricultural school in the town of Abbeville, except in the town of Abbeville, Henry county; and within Frankfort beat No. 3, in Franklin county; and within three miles of Hill's Chapel and Siloam churches, situated in Hill's beat, Franklin county; and in that part of Tuskaloosa county which lies ouside of incorporated towns and cities; and within three miles of Bethany M. E. Church, South, in beat 12, Coosa county; and within precinct No. eight, including and within that part of Tuskaloosa county which lies outside of incorporated towns and cities; and within three miles of Bethany M. E. Church, South, in beat 12, Coosa county; and within precinct No. 8, including the incorporations of the towns of Fitzpatrick and Thompson in Bullock county; within three miles of the town of Woodville, in Jackson county; and the sale of spirituous bitters or intoxicating beverages in Montgomery county, outside police jurisdiction of the city of Montgomery; and in beat one in Barbour county; Provided, however, the law shall not be in force in beat one in Barbour county until January 1st, 1898.

And the house has concurred in the report of the conference committee on the disagreement of the two houses on senate amendments to

H. 878. To establish a Branch Agricultural Experiment Station and an agricultural school for the colored race, to be located at Tuskegee, Macon county, Alabama, and to be run in connection with the Tuskegee Normal and Industrial Institute.

And has adopted the resolution herewith sent in relato the appointment of a conference committee of five members from each house to consider and confer on the convict bills.

MASSEY WILSON, Clerk.

The house bills in the foregoing house message were severally read once and referred to appropriate committees as follows:

H. 950, to agriculture;

H. 1224, 1205, to judiciary;

H. 1166, to municipal and county organizations;

H. 1077, to local legislation.

The house joint resolution raising a committee of conference on the convict bills was referred to the committee on rules.

The senate concurred in the house amendment to the senate bill,

S. 203. To prohibit the sale of spirituous, vinous or malt liquors within that part of Tuskaloosa county which lies outside of incorporated towns and cities.

Yeas, 18; nays, 0.

Yeas:

Messrs. President, Bethune, Brewer, Brooks, Cunningham, Deans of Shelby, Deens of Covington, Grant, Hall, Hawkins, Hogue, Hollis, Matthews, Nolen, Robinson, Smith, Thomason, Walker—18.

REPORT OF CONFERENCE COMMITTEE.

Mr. Hawkins, from a committee of conference, submitted the following report:

Mr. President:

Your committee of conference to consider the disagreement of the two houses on the senate amendments to the house bill,

H. 878. To establish a Branch Agricultural Experiment Station and an agricultural school for the colored race, to be located at Tuskegee, Macon county, Alabama, and to be run in connection with the Tuskegee Normal and Industrial Institute,

Have had the same under consideration, and beg leave to recommend as follows:

That the house concur in the senate amendments to said bill.

HIRAM HAWKINS,
F. L. PETTUS,
W. Y. BROWN,
On the part of the senate.
W. J. WOOD,
O. KYLE,
WM. BRANDON,
On the part of the house.

The report was concurred in; yeas 18, nays 0.

Yeas:

Messrs. President, Boykin, Brewer, Brooks, Day, Deens of Covington, Grant, Hall, Hawkins, Hogue, Hollis, Lee, Matthews, Pettus, Robinson, Smith, Thomason, Walker—18.

MESSAGE FROM THE HOUSE.

Mr. President:

The speaker having signed the following house bills, your signature is requested to the same:

H. 560. To prohibit the sale of, or giving away or otherwise disposing of vinous, spiritous or malt liquors or intoxicating bitters, beverages, or other intoxicating drinks within beat number one (commonly known as Girard beat) in Russell county;

H. 479. To repeal an act approved February 18th, 1895, entitled an act to amend section one of an act entitled an act to amend section two of an act entitled an act to amend sections one and twelve of an act entitled an act to regulate the taking of oysters from the public reefs in this State, for sale or planting, approved December 10th, 1892, and to repeal an act entitled an act to regulate the planting and taking of oysters in waters of this State, approved February 18th, 1891, which act hereby amended, was approved December 14th, 1894, and to repeal sections ten and thirteen of an act entitled an act to regulate the taking of oysters from the public reefs in this State for sale or planting, approved December 10th, 1892;

H. 482. To repeal section two of an act approved February 14th, 1893, entitled an act to amend sections one

and twenty of an act entitled an act to regulate the taking of oysters from the public reefs in the State for sale or planting, approved December 10th, 1892, and to repeal an act entitled an act to regulate the planting and taking of oysters in the waters of this State, approved February 18th, 1891;

H. 913. To repeal an act entitled an act to amend section 6 of an act entitled an act to provide for the making and maintaining the public roads and bridges of Jefferson county, Alabama, approved December 17th, 1894.

H. 480. To repeal sections 6, 7, 8, 11, 12, 13, 14, 15, 16, 19, 20, 23 and 24 of an act entitled an act to regulate the taking of oysters from the public reefs in this State for sale or planting, approved December 10th, 1892;

H. 978. To incorporate the Sons and Daughters of Charity Lodge No. 1;

H. 900. To make the third week of the circuit court of St. Clair county a non-jury week; to arrange the business of the court for such week and to limit the sittings of the grand jury of said county;

H. J. R. For compensation of a clerk of the joint committee on revenue laws which sat during recess;

H. 829. To create the Mount Zion school district in Morgan and Lawrence counties;

H. 491. For the relief of J. C. Landford, Elizabeth Hunt, Mattie Mooney and Narcissa Durbin of Chilton county, widows of confederate veterans who failed to make application under an act entitled an act for the relief of needy confederate soldiers and sailors, residents of Alabama, who from wounds and other causes are now unable to earn a livelihood and for the widows of such as were killed or died in said war and have not since remarried, approved February 13th, 1891;

H. 736. To authorize and empower the board of education of the city of Birmingham, Alabama, to collect tuition of the pupils of the public schools of said city, residents of the city of Birmingham, Alabama, while attending said schools, to supplement the public school funds of said city, for the support and maintenance of the public schools of said city;

H. 1105. To amend an act to authorize the secretary of State to sell the volumes of the reports of the decisions of the supreme court of Alabama now in his possession, approved February 2d, 1893;

H. 396. To prohibit the sale or giving away or otherwise disposing of vinous, spirituous, or malt liquors or intoxicating bitters or beverages, within beat number ten in Lee county;

H. 603. To prohibit the sale, giving away, or otherwise disposing of spiritusus, vinous or malt liquors or any intoxicating bitters within four miles of the Tuscaloosa district high school, situated at Berry Station, Fayette county, Alabama;

H. 642. To promote and secure the erection and operation of cotton mills and factories in the State of Alabama;

H. 695. To further regulate the issue of license to retail spirituous or vinous liquors, in precinct 12 of Tallapoosa county.

H. 731. To provide for the publication or posting of ordinances, by-laws or resolutions passed by the mayor and aldermen of the town of Dothan;

H. 862. To regulate the sale of spirituous, vinous and malt liquors within the corporate limits of the town of Lafayette, Alabama.

MASSEY WILSON,
Clerk.

HOUSE BILLS SIGNED.

The president of the senate, in the presence of the senate, immediately after their titles had been publicly read by the secretary, signed the following house bills, the titles of which are set out in the above house message:

BILLS ON THIRD READING.

The bill,

Also, with amendment,

H. 746. To incorporate and exempt from taxation the property of the North Alabama Baptist Academy, located at the town of Courtland in Lawrence county,

Was taken up.

The amendment reported by the committee was adopted.

The bill, as amended,

Was read a third time and passed—yeas 22, nays 0.

Yeas:

Messrs. President, Abercrombie, Boykin, Brewer, Brooks, Brown, Cunningham, Day, Deans of Shelby, Deens of Covington, Grant, Hall, Hogue, Hundley, Kilpatrick, Lee, Matthews, McElderry, Pettus, Smith, Thomason, Walker—22.

The bill,

H. 761. To regulate the trial of misdemeanors in the county of Tallapoosa,

Was read a third time and passed.—yeas 18, nay 1.

Yeas:

Messrs. President, Abercrombie, Boykin, Brewer, Brooks, Cunningham, Day, Deans of Shelby, Deens of Covington, Grant, Hollis, Lee, Matthews, Moody, Nolen, Pettus, Smith, Thomason, Walker—18.

Nays:

Mr. Hogue voted nay—1.

The bill,

H. 921. To amend section 1 of an act to establish a new charter for the city of Montgomey, approved December 9th, 1896,

Was read a third time and passed—yeas, 22, nays, 0.

Yeas:

Messrs. President, Boykin, Brewer, Brooks, Brown, Cunningham, Day, Deans of Shelby, Deens of Covington, Grant, Hall, Hawkins, Hogue, Hollis, Lee, Matthews, McElderry, Pettus, Robinson, Smith, Thomason, Walker—22.

The bill,

H. 696. To repeal an act, entitled an act to establish the Sylvan agricultural district, to authorize the erection of an outside fence, and to dispense with inside fences and to levy taxes to erect said fences, and to defray all the current expense of said district,

Was read a third time and passed—yeas 21, nays 0.

Yeas:

Messrs. President, Abercrombie, Bethune, Boykin,

Cunningham, Day, Deans of Shelby, Deens of Covington, Grant, Hall, Hogue, Hollis, Kilpatrick, Matthews, McElderry, Nolen, Pettus, Robinson, Smith, Thomason, Walker—21.

The bill,

H. 752. To prevent hogs from running at large in Mobile county within seven miles of the court house of said county,

Was read a third time and passed—yeas 23, nays 1.

Yeas:

Messrs. President, Boykin, Brewer, Brown, Buchanan, Day, Deans of Shelby, Deens of Covington, Grant, Hall, Hogue, Hollis, Kilpatrick, Lee, Matthews, McElderry, Moody, Nolen, Pettus, Robinson, Smith, Thomason, Walker—23.

Nays:

Mr. Cunningham voted nay—1.

The bill,

H. 883. To regulate the collection of the poll tax in the Tuscumbia school district of Colbert county,

Was read a third time and passed.—yeas 22, nays 0.

Yeas:

Messrs. President, Abercrombie, Boykin, Brooks, Cunningham, Day, Deans of Shelby, Deens of Covington, Grant, Hall, Hogue, Hollis, Kilpatrick, Lee, Matthews, McElderry, Nolen, Pettus, Robinson, Smith, Thomason, Walker—22.

The bill,

H. 832. To amend section one of an act for the protection of land and property against the depredations of live stock in portions of precinct No. one, two, three, four, five and six in Autauga county,

Was read a third time and passed—yeas 20, nays 0.

Yeas:

Messrs. President, Abercrombie, Boykin, Brooks, Cunningham, Day, Deans of Shelby, Deens of Covington, Grant, Hogue, Hollis, Kilpatrick, Lee, Matthews, McElderry, Nolen, Pettus, Smith, Thomason, Walker—20.

The bill,

Also,

H. 503. To regulate the payment of claims against the fine and forfeiture fund of Morgan county, Alabama,

Was taken up.

The amendment reported by the committee was adopted.

The bill, as amended,

Was read a third time and passed—yeas 22, nays 0.

Yeas:

Messrs. President, Abercrombie, Boykin, Brewer, Brooks, Brown, Cunningham, Day, Deans of Shelby, Deens of Covington, Grant, Hall, Hogue, Hundley, Kilpatrick, Lee, Matthews, McElderry, Pettus, Smith, Thomason, Walker—22.

The bill,

H. 761. To regulate the trial of misdemeanors in the county of Tallapoosa,

Was read a third time and passed.—yeas 18, nay 1.

Yeas:

Messrs. President, Abercrombie, Boykin, Brewer, Brooks, Cunningham, Day, Deans of Shelby, Deens of Covington, Grant, Hollis, Lee, Matthews, Moody, Nolen, Pettus, Smith, Thomason, Walker—18.

Nays:

Mr. Hogue voted nay—1.

The bill,

H. 921. To amend section 1 of an act to establish a new charter for the city of Montgomey, approved December 9th, 1896,

Was read a third time and passed—yeas, 22, nays, 0.

Yeas:

Messrs. President, Boykin, Brewer, Brooks, Brown, Cunningham, Day, Deans of Shelby, Deens of Covington, Grant, Hall, Hawkins, Hogue, Hollis, Lee, Matthews, McElderry, Pettus, Robinson, Smith, Thomason, Walker—22.

The bill,

H. 696. To repeal an act, entitled an act to establish the Sylvan agricultural district, to authorize the erection of an outside fence, and to dispense with inside fences and to levy taxes to erect said fences, and to defray all the current expense of said district,

Was read a third time and passed—yeas 21, nays 0.

Yeas:

Messrs. President, Abercrombie, Bethune, Boykin,

Was read a third time and passed—yeas 19, nays 0.

Yeas:

Messrs. Brooks, Cunningham, Day, Deans of Shelby, Deens of Covington, Grant, Hall, Hawkins, Hogue, Hollis, Lee, Matthews, McElderry, Moody, Nolen, Robinson, Smith, Thomason, Walker—19.

The bill,

H. 470. To incorporate the Glen Addie Volunteer Hose Company No. 2, located in the City of Anniston, Calhoun county, Alabama,

Was read a third time and passed—yeas 17, nays 0.

Yeas:

Messrs. President, Brooks, Cunningham, Day, Deans of Shelby, Deens of Covington, Grant, Hall, Hawkins, Hogue, Hollis, Matthews, McElderry, Nolen, Robinson, Smith, Thomason—17.

The bill,

H. 348. To establish the Jamestown school district in Cherokee county,

Was read a third time and passed—yeas 18, nays 0.

Yeas:

Messrs. Brewer, Brooks, Cunningham, Day, Deans of Shelby, Deens of Covington, Grant, Hall, Hawkins, Hogue, Hollis, Lee, Matthews, McElderry, Nolen, Robinson, Smith, Thomason—18.

The bill,

H. 248. To amend the charter of the Sloss Iron and Steel Company, a body corporate,

Was read a third time and passed—yeas 21, nays 0.

Yeas:

Messrs. President, Bethune, Brooks, Browder, Cunningham, Day, Deans of Shelby, Deens of Covington, Grant, Hall, Hawkins, Hollis, Lee, Matthews, McElderry, Nolen Pettus Robinson, Smith, Thomason, Walker—21.

The bill,

H. 816. To confirm the organization and incorporation of the Birmingham, Powderly and Bessemer Railway Company, and to confer on it additional powers,

Was read a third time and passed—yeas 20, nays 0.

Yeas:

Messrs. Brewer, Brooks, Buchanan, Cunningham,

Day, Deans of Shelby, Deens of Covington, Grant, Hall, Hawkins, Hogue, Kilpatrick, Matthews, McElderry, Nolen, Pettus, Robinson, Smith, Thomason, Walker —20.

The bill,

H. 565. To authorize the preparation and filing of a jury box for Chilton county, to legalize the same, and provide for drawing the juries for the courts to be held in said county,

Was read a third time and passed—yeas 21, nays 0.

Yeas:

Messrs. President, Brooks, Buchanan, Cunningham, Day, Deans of Shelby, Deens of Covington, Grant, Hall, Hawkins, Hogue, Hollis, Kilpatrick, Lee, Matthews, McElderry, Nolen, Pettus, Smith, Thomason, Walker —21.

The bill,

H. 347. To establish a criminal court for the county of Cherokee, with criminal jurisdiction in misdemeanor cases, and to provide for the appointment of a judge and solicitor for such court,

Was taken up,

The substitute reported by committee pending.

On motion of Mr. Hogue, the bill and amendment were laid on the table.

The bill,

H. 851. To make the offices of town clerks and marshal of New Decatur, Alabama. elective, and to provide the time and manner of their election,

Was read a third time and passed—yeas 22, nays 0.

Yeas:

Messrs. Abercrombie, Brewer, Brooks, Brown, Cunningham, Day, Deans of Shelby, Deens of Covington, Grant, Hall, Hawkins, Hogue, Hollis, Kilpatrick, Matthews, McElderry, Nolen, Pettus, Robinson Smith, Thomason, Walker—22.

The bill,

H. 720. To prevent persons in Selma from being convicted twice for the same offense.

The amendment reported by the committee to include Demopolis in Marengo county, was adopted.

And the bill, as amended, was read a third time and passed—yeas 20, nays 0.

Yeas:

Messrs. President, Brooks, Brown, Cunningham, Deans of Shelby, Deens of Covington, Grant, Hawkins, Hogue, Hollis, Kilpatrick, Lee, Matthews, McElderry, Nolen, Pettus, Robinson, Smith, Thomason, Walker —20.

The bill,

H. 497. To create a separate school district in portions of Cullman and Marshall counties,

Was read a third time and passed—yeas 23, nays 0.

Yeas:

Messrs. President, Bethune, Boykin, Brooks, Buchanan, Cunningham, Day, Deans of Shelby, Deens of Covington, Grant, Hall, Hawkins, Hogue, Hollis, Kilpatrick, Lee, Matthews McElderry, Pettus, Robinson, Smith, Sowell, Thomason, Walker—23.

The bill,

H. 940. To establish a separate school district in Cherokee county to be known as the Leesburg school district,

Was read a third time and passed—yeas 23, nays 0.

Yeas:

Messrs. President, Abercrombie, Boykin, Brooks, Buchanan, Cunningham, Day, Deans of Shelby, Deens of Covington, Grant, Hall, Hawkins, Hogue, Kilpatrick, Lee, Matthews, McElderry, Moody, Nolen, Pettus, Smith, Sowell, Thomason—23.

The bill,

H. 769. To establish a separate school district in Barbour county, to be known as the Lodie school district,

Was read a third time and passed—yeas 21, nays 0.

Yeas:

Messrs. Abercrombie, Boykin, Brooks, Buchanan, Cunningham, Day, Deans of Shelby, Deens of Covington, Grant, Hawkins, Hogue, Hollis, Lee, Matthews, McElderry, Nolen, Pettus, Robinson, Smith, Thomason, Walker—21.

The bill,

H. 843. To amend an act entitled an act to establish

a sparate school district to be known as Reynolds school district in Henry county,

Was read a third time and passed—yeas 22, nays 0.

Yeas:

Messrs. Abercrombie, Bethune, Boykin Brooks, Buchanan, Cunningham, Day, Deans of Shelby, Deens of Covington, Grant, Hawkins, Hogue, Hollis, Lee, Matthews, McElderry, Nolen, Pettus, Robinson, Smith, Thomason, Walker—22.

The bill,

H. 617. To amend section one (1) of an act entitled an act to create a separate school district in Cullman county, Alabama, and define the boundaries of the same; approved February 28th, 1887,

Was read a third time and passed—yeas 20, nays 0.

Yeas:

Messrs. Abercrombie, Boykin, Brooks, Buchanan, Cunningham, Day, Deans of Shelby, Deens of Covington, Grant, Hawkins, Hollis, Lee, Matthews, McElderry, Nolen, Pettus, Robinson, Smith, Thomason, Walker —20.

The bill,

H. 368. To provide for the better support and maintenance of the public schools of Walker county, Alabama,

Was read a third time and passed—yeas 18, nays 0.

Yeas:

Messrs. Boykin, Brewer, Brooks, Cunningham, Day, Deans of Shelby, Deens of Covington, Grant, Hall, Hogue, Matthews, McElderry, Nolen, Pettus, Robinson, Smith, Thomason, Walker—18.

The bill,

H. 354. To establish a separate school district in townships, 10 and 11 of Range 18, Crenshaw county, Alabama, to be known as the Bradleyton school district,

Was read a third time and passed—yeas 18, nays 0.

Yeas:

Messrs. Brooks, Cunningham, Day, Deans of Covington, Grant, Hogue, Hollis Hundley, Kilpatrick, Lee, Matthews, McElderry, Nolen, Pettus, Robinson, Smith, Thomason—18.

The bill,

H. 610. To establish a separate school district in Franklin county, Alabama, to be known as the Belgreen school district, and to fix the boundaries of same,

Was read a third time and passed.—yeas 19, nays 0.

Yeas:

Messrs. President, Brewer, Brooks, Cunningham, Day, Deens of Covington, Grant, Hall, Hawkins, Hogue, Hollis, Kilpatrick, Lee, Matthews, McElderry, Nolen, Pettus, Smith, Thomason—19.

The bill,

H. 711. To establish a separate school district in Barbour county, Alabama, to be known as the Louisville and Mt. Zion School District,

Was read a third time and passed—yeas 22, nays 0.

Yeas:

Messrs. President, Abercrombie, Brewer, Brooks, Buchanan, Cunningham, Day, Deens of Covington, Grant, Hall, Hogue, Hollis, Kilpatrick, Lee, Matthews, McElderry, Nolen, Pettus, Robinson, Smith, Thomason, Walker—22.

The bill,

H. 316. For the relief of Wm. C. Reock, clerk of the circuit court of Tallapoosa county,

Was taken up.

The amendments reported by the committee were severally adopted.

The bill, as amended, was read a third time and passed—yeas 17, nay 0.

Yeas:

Messrs. President, Brewer, Cunningham, Day, Deens of Covington, Grant, Hawkins, Hogue, Hollis. Matthews, McElderry, Nolen, Pettus, Robinson, Smith, Thomason, Walker—17.

The bill,

H. 543. To require the tax assessor and tax collector of Marion county to keep their offices within one mile of the court house,

Was taken up.

The substitute reported by the committee was adopted.

On motion of Mr. Matthews the caption and body of the bill were amended by including Crenshaw county.

The bill, as amended, was read a third time and passed—yeas 22, nays 0.

Yeas:

Messrs. President, Bethune, Brewer, Brooks, Buchanan, Cunningam, Day Deans of Shelby, Deens of Covington, Grant, Hall Hawkins, Hogue, Hollis, Kilpatrick, Matthews, McElderry, Nolen, Robinson, Smith, Thomason, Walker—22.

The bill,

H. 255. To amend section 3687 of the Code of Alabama,

Was taken up.

Mr. Cunningham offered an amendment to the substitute, by adding after "Mobile" the words "and Jefferson,"

Which was adopted.

The substitute, as amended, was adopted.

Pending,

RECESS.

The hour of 6 o'clock P. M. having arrived the senate took a recess until 7:30 o'clock this evening.

NIGHT SESSION.

The senate reconvened at 7:30 o'clock P. M., and was called to order by the president.

A quorum was present.

On motion of Mr. McElderry, it was agreed to, that the roll of senators be called, and on the call each senator should call up one bill on the calendar.

The senate proceeded to consider

BILLS ON THIRD READING.

The bill,

H. 1152. To require railroad companies to establish depots in towns of more than one thousand inhabitants,

Was read a third time and passed—yeas 21, nays 0.

Yeas:

Messrs. President, Boykin, Brewer, Brooks, Cunningham, Day, Deans of Shelby, Deens of Covington, Grant, Hall, Hawkins, Hogue, Hollis, Lee, Matthews, McElderry, Moody, Nolen, Pettus, Smith, Thomason—21.

The bill,

H. 914. To amend an act entitled an act to provide for the making and maintaining the public roads and bridges of Jefferson county, Alabama, approved December 18th, 1894,

Was read a third time and passed—Yeas 20, nays 0.

Yeas:

Messrs. President, Boykin, Brewer, Brooks, Cunningham, Day, Deans of Shelby, Deens of Covington, Grant, Hall, Hawkins, Hogue, Hollis, Lee, McElderry, Nolen, Pettus, Robinson, Smith, Thomason—20.

The bill,

H. 1054. To relieve Katie N. Campbell, of Montgomery county, of the disabilities of non-age,

Was read a third time and passed—yeas 20, nays 0.

Yeas:

Messrs. President, Boykin, Brewer, Brooks, Cunningham, Day, Deens of Covington, Grant, Hall, Hawkins, Hogue, Hollis, Lee, McElderry, Moody, Nolen, Pettus, Smith, Thomason, Walker—20.

The bill,

H. 1134. To incorporate the town of Newberne, Hale county, Alabama,

Was read a third time and passed—yeas 22, nays 0.

Yeas:

Messrs. President, Boykin, Brewer, Brooks, Day, Deans of Shelby, Deens of Covington, Grant, Hall, Hawkins, Hogue, Hollis, Lee, Matthews, McElderry, Moody, Nolen, Pettus, Robinson, Smith, Thomason, Walker—22.

The bill,

S. 453. To establish a charter for the town of Dundee, in Geneva county,

Was read a third time and passed.—yeas 21, nays 0.

Yeas:

Messrs. Boykin, Brewer, Brooks, Cunningham, Day, Deans of Shelby, Deens of Covington, Grant, Hall,

Hawkins, Hogue, Hollis, Lee, Matthews, McElderry, Nolen, Pettus, Robinson, Smith, Thomason, Walker—21.

The bill,

H. 331. To repeal an act entitled "an act to provide for refunding of taxes improperly paid," approved February 18th, 1891,

Was read a third time and passed.—yeas 23, nays 0.

Yeas:

Messrs. President, Bethune, Boykin, Brewer, Brooks, Buchanan, Cunningham, Day, Deans of Shelby, Deens of Covington, Grant, Hall, Hawkins, Hogue, Lee, Matthews, McElderry, Nolen, Pettus, Robinson, Smith, Thomason, Walker—23.

The bill,

H. 332. To repeal sections 1, 2, 3 and 4 of an act entitled "an act to provide for returning and allowing proper credits for taxes wrongfully assessed and collected," approved December 6th, 1888,

Was read a third time and passed—yeas 22, nays 0.

Yeas:

Messrs. Abercrombie, Boykin, Brewer, Brooks, Cunningham, Day, Deans of Shelby, Deens of Covington, Grant, Hall, Hawkins, Hogue, Hollis, Lee, Matthews, McElderry, Moody, Nolen, Pettus, Smith, Thomason, Walker—22.

The bill,

H. 865. To prescribe and define a three wire lawful fence for precinct number eleven (11), in Morgan county, Alabama,

Was read a third time and passed—yeas 22, nays 0.

Yeas:

Messrs. President, Abercrombie, Bethune, Boykin, Cunningham, Day, Deans of Shelby, Deens of Covington, Grant, Hall, Hawkins, Hogue, Hollis, Lee, Matthews, McElderry, Nolen, Pettus, Smith, Thomason, Walker —22.

The bill,

H. 993. To amend section 15 of an act entitled an act to establish a charter for the city of Columbiana, in Shelby county, Alabama, approved Feb. 18, 1895,

Was taken up.

Mr. Deans, of Shelby, offered an amendment,

Which was adopted.

And the bill, as amended, was read a third time and passed—yeas 22, nays 0.

Yeas:

Messrs. President, Abercrombie, Brewer, Brooks, Cunningham, Day, Deans of Shelby, Deens of Covington, Grant, Hall, Hawkins, Hogue, Hollis, Lee, Matthews, McElderry, Moody, Nolen, Pettus, Robinson, Thomason, Walker—22.

The bill,

H. 592. To authorize the mayor and council of the town of Georgiana to negotiate a loan for the purpose of establishing a sanitary sewerage and public water supply in the town of Georgiana, and to issue bonds for the payment of said loan,

Was read a third time and passed—yeas 19, nays 0.

Yeas:

Messrs. President, Abercrombie, Brewer, Cunningham, Day, Deans of Shelby, Deens of Covington, Grant, Hall, Hogue, Lee, Matthews, McElderry, Moody, Nolen, Pettus, Robinson, Thomason, Walker—19.

The bill,

H. 763. To confer certain powers on the board of control of the Jackson Agricultural College and their successors,

Was read a third time and passed—yeas 21, nays 0.

Yeas:

Messrs. President, Abercrombie, Bethune, Boykin, Brooks, Cunningham, Day, Deans of Shelby, Deens of Covington, Grant, Hall, Hawkins, Hogue, Hollis, Matthews, McElderry, Nolen, Pettus, Robinson, Thomason, Walker—21.

The bill,

H. 902. To confer additional powers upon the Birmingham Trust and Saving Company, a body corporate incorporated under the general laws of the State of Alabama,

Was read a third time and passed—yeas 20, nays 0.

Yeas:

Messrs. President, Abercrombie, Brooks, Cunningham, Day, Deans of Shelby, Deens of Covington, Grant, Hawkins, Hogue, Hollis, Lee, Matthews, McElderry, Moody,

Nolen, Pettus, Smith, Thomason, Walker—20.

The bill,

H. 908. To amend section 10 of an act entitled "an act to regulate the fine and forfeiture fund of Barbour county, and the disposal of moneys arising from fines, forfeitures and convict labor," approved February 6th, 1895,

Was read a third time and passed—yeas 23, nays 0.

Yeas:

Messrs. President, Abercrombie, Brewer, Brooks, Cunningham, Day, Deans of Shelby, Deens of Covington, Grant, Hall, Hawkins, Hogue, Hollis, Lee, Matthews, McElderry, Moody, Nolen, Pettus, Robinson, Smith, Thomason, Walker—23.

The bill,

H. 1044. To legalize certain acts of the Christian and Craft Grocery Company of Mobile, a corporation duly organized underthe laws of the State of Alabama,

Was read a third time and passed—yeas 19, nays 0.

Yeas:

Messrs. President, Abercrombie, Brown, Cunningham, Day, Deans of Shelby, Deens of Covington, Grant, Hawkins, Hogue, Hollis, Kilpatrick, Matthews, McElderry, Nolen, Pettus, Robinson, Smith, Thomason—19.

The bill,

H. 976. To authorize the board of control of the Southeast Alabama Agricultural Experiment Station and School to sell and convey the lot and school building thereon, in the town of Abbeville, in Henry county, and to expend the proceeds thereof on the new school building now being erected in said town, or for the improvement of said experiment station,

Was read a third time and passed—yeas 22, nays 0.

Yeas:

Messrs. President, Boykin, Brewer, Brooks, Brown, Cunningham, Day, Deans of Shelby, Deens of Covington, Grant, Hall, Hawkins, Hogue, Hollis, Hundley, Matthews, McElderry, Nolen, Pettus, Robinson, Smith, Thomason—22.

The bill,

H. 1003. To authorize the auditor to pay out certain moneys remaining in the State treasury as a part

of the relief fund for needy confederate soldiers and sailors,

Was taken up.

Mr. Boykin offered an amendment,

Which was adopted.

The bill, as amended, was read a third time and passed—yeas 20, nays 0.

Yeas:

Messrs. Abercrombie, Boykin, Brewer, Brooks, Cunningham, Day, Deens of Covington, Grant, Hawkins, Hogue, Hollis, McElderry, Moody, Nolen, Pettus, Robinson, Smith, Thomason, Walker—20.

The bill,

H. 827. To authorize the closing and occupancy of a part of Bibb street as the same is designated and laid off according to the plat of the East Birmingham Land Company or its successors in Jefferson county,

Was read a third time and passed.—yeas 20, nays 1.

Yeas:

Messrs. President, Abercrombie, Boykin, Brooks, Cunningham, Day, Deans of Shelby, Deens of Covington, Grant, Hawkins, Hogue, Hollis, Lee, Matthews, Moody, Nolen, Smith, Thomason, Walker—20.

Nay:

Mr. Pettus voted nay—1.

The bill,

S. 1155. To amend section 3 of an act entitled an act to authorize the commissioners court of Tuscaloosa county to establish districts in which stock may be prevented from running at large so as to require a majority of the land owners or freeholders of the entire beat in which the proposed district is situated, instead of the majority of those of the proposed district alone,

Was read a third time and passed—yeas 21, nays 0.

Yeas:

Messrs. President, Abercrombie, Boykin, Brooks, Brown, Cunningham, Day, Deens of Covington, Grant, Hall, Hawkins, Hogue, Hollis, Matthews, McElderry, Moody, Nolen, Pettus, Robinson, Smith, Thomason,—21.

The bill,

H. 520. To create a separate school district in beat 1,

T. 21 and 22, R. 21 in Tallapoosa Co., Ala.,

Was read a third time and passed—yeas 22, nays 0.

Yeas:

Messrs. President, Abercrombie, Boykin, Brewer, Brooks, Brown, Cunningham, Day, Deens of Covington, Grant, Hall, Hawkins, Hogue, Hollis, Matthews, Moody, Nolen, Pettus, Robinson, Smith, Thomason, Walker—22.

The bill,

H. 837. To amend sections 2, 3 and 11 of an act entitled an act to establish a normal school for the education of white male and female teachers, at Jacksonville, in Calhoun county, approved February 22nd, 1883,

Was read a third time and passed.—yeas 20, nays 0.

Yeas:

Messrs. President, Abercrombie, Boykin, Brown, Cunningham, Day, Deens of Covington, Grant, Hall, Hawkins, Hogue, Matthews, McElderry, Moody, Nolen, Pettus, Robinson, Smith, Thomason, Walker—20.

The bill,

H. 887. To authorize the levy and collection of a tax upon property within the city of Gadsden, Alabama, or that may be lawfully taxable therein for the maintenance of the public schools of said city,

Was taken up.

The amendments reported by the committee were severally adopted.

Mr. Hawkins offered an amendment as follows:

To strike out "1896 as well as."

Adopted.

The bill as amended was read a third time and passed—yeas 19, nays 0.

Yeas:

Messrs. President, Abercrombie, Boykin, Brown, Cunningham, Day, Deans of Shelby, Deens of Covington, Grant, Hawkins, Hogue, Hollis, Matthews, Nolen, Pettus, Robinson, Smith, Thomason, Walker—19.

The bill,

H. 622. To incorporate the "Central Trust Company" of Mobile,

Was read a third time and passed—yeas 21, nays 0.

Yeas:

Messrs. President, Abercrombie, Boykin, Brooks, Brown, Cunningham, Day, Deans of Shelby, Deens of Covington, Grant, Hall, Hawkins, Hollis, Matthews, McElderry, Nolen, Pettus, Robinson, Smith, Thomason, Walker—21.

The bill,

H. 549. To amend section 34 of an act entitled an act to create a new charter for the city of Florence, Alabama, approved February 28th, 1889, and to authorize the city of Florence to issue bonds to purchase water-works, and also to give a mortgage on said water works,

Was read a third time and passed—yeas 21, nays 0.

Yeas:

Messrs. President, Abercrombie, Boykin, Brooks, Brown, Cunningham, Day, Deens of Covington, Grant, Hall, Hawkins, Hogue, Hollis, Matthews, McElderry, Nolen, Pettus, Robinson, Smith, Thomason, Walker—21.

The bill,

H. 863. To regulate the sale of spirituous, vinous and malt liquors within the corporate limits of the town of Lanette, Alabama,

Was read a third time and passed—yeas 18, nays 0.

Yeas:

Messrs. President, Abercrombie, Boykin, Brown, Cunningham, Deans of Shelby, Deens of Covington, Grant, Hogue, Hollis, McElderry, Moody, Nolen, Pettus, Robinson, Smith, Thomason, Walker—18.

The bill,

H. 612. To establish, organize, and maintain a system of public schools in Woodlawn, Jefferson county, Alabama, and to levy and collect tax for the support of said schools.

Was taken up.

The amendments reported by the committee were severally adopted.

The bill, as amended, was read a third time and passed—yeas 18, nays 2.

Yeas:

Messrs. President, Abercrombie, Bethune, Boykin, Brown, Cunningham, Deens of Covington, Grant, Hogue,

Hollis, Matthews, McElderry, Nolen, Robinson, Smith, Thomason, Walker—18.

Nays:

Messrs. Moody and Pettus voted nay—2.

The bill,

H. 772. To amend sections seventeen (17) and twenty-five (25) of an act, approved February 18, 1895, entitled an act to establish a new charter for the city of Anniston,

Was read a third time and passed—yeas 20, nays 0.

Yeas:

Messrs. President, Abercrombie, Boykin, Brooks, Brown, Cunningham, Day, Deens of Covington, Grant, Hawkins, Hogue, Hollis, Matthews, Moody, Nolen, Robinson, Smith, Thomason, Walker—20.

The bill,

H. 1002. To authorize the commissioners court of Blount county to levy a tax for working the public roads of said county, and to let out said roads by contract,

Was read a third time and passed—yeas 20, nays 0.

Yeas:

Messrs. President, Abercrombie, Brooks, Brown, Cunningham, Day, Deans of Shelby, Deens of Covington, Grant, Hawkins, Hogue, Hollis, Matthews, McElderry, Moody, Pettus, Robinson, Smith, Thomason, Walker—20.

The bill,

H. 619. To repeal all laws and parts of laws prohibiting the sale, giving away or otherwise disposing of vinous, spiritous or malt liquors or intoxicating bitters or beverages in Guntersville beat, in Marshall county, Alabama, and to regulate the sale thereof in said beat,

Was laid on the table.

On motion of Mr. Moody,

The bill,

H. 792. For the relief of B. H. Lewis, E. G. Padgett and Jacob Neese, as the sureties on the official bond of Wm. M. Snider, as superintendent of Covington county,

Was laid on the table.

On motion of Mr. Deens of Covington,

The bill,

S. 452. To amend section five of an act entitled an

act to incorporate the town of Abbeville, in the county of Henry, approved February 8th, 1872,

Was read a third time and passed—yeas 17, nays 1.

Yeas:

Messrs. President, Abercrombie, Boykin, Brooks, Brown, Cunningham, Day, Deens of Covington, Grant, Hogue, Moody, Nolen, Pettus, Robinson, Smith, Thomason, Walker—17.

Mr. McElderry voted nay—1.

The bill,

s. 484. To amend section 3 of an act entitled "an act to change the name of the town of Pratt Mines, in Jefferson county, and establish a new charter therefor,"

Was read a third time and passed—yeas 20, nays 1.

Yeas:

Messrs. President, Abercrombie, Boykin, Brooks, Brown, Cunningham, Day, Deens of Covington, Grant, Hall, Hawkins, Hogue, Matthews, Moody, Nolen, Pettus, Robinson, Smith, Thomason—20.

Mr. McElderry voted nay—1.

The bill,

s. 486. To relieve Alice Philips a minor under 18 years of age of the disabilities of non-age,

Was read a third time and passed—yeas 21, nays 1.

Yeas:

Messrs. President, Abercrombie, Bethune, Boykin, Brooks, Brown, Cunningham, Day, Deens of Covington, Grant, Hawkins, Hogue, Hollis, Matthews, Moody, Nolen, Pettus, Robinson, Smith, Thomason, Walker—21.

Mr. McElderry voted nay—1.

MESSAGE FROM THE HOUSE.

Mr. President:

The house has concurred in the senate amendments to the following bills:

H. 124. For the better protection of girls;

H. 720. To prevent persons in Selma and Demopolis from being convicted twice for the same offense;

H. 598. To prohibit the sale or giving away of alcoholic, spirituous, vinous or malt liquors within three

miles of the Methodist church, Methodist Episcopal church and Baptist church within the town of Boaz Marshall county;

H. 746. To incorporate and exempt from taxation the property of the North Alabama colored Baptist Academy located at the town of Courtland in Lawrence county;

H. 543. To require the tax assessor and tax collector of Marion and Crenshaw, to keep their offics within one mile of the court house,

And has passed.

S. 339. To amend section 7 of an act entitled an act to confirm the incorporation and organization of the McGill Institute in the city of Mobile and to define, declare and enlarge the powers of said corporation, approved December 9th, 1896;

S. 115. To repeal an act entitled an act to regulate the fees of the judge of the county court of Franklin county Alabama;

S. 116. For the relief of Mrs. Fannie Parish;

S. 238. To establish a new charter for the town of Seale in Russell county;

S. 318. To regulate the passage of vehicles on the public roads of Montgomery county,

And has concurred in the senate amendments to the following bills.

H. 993. To amend section 15 of an act entitled an act to establish a charter for the city of Columbiana in Shelby county, Alabama, approved February 18th, 1895;

H. 887. To authorize the levy and collection of a tax upon property within the city of Gadsden Alabama, or that may be lawfully taxable therein for the maintenance of the public schools of said city.

And has originated and passed and ordered to the senate without engrossment;

H. 1176. To authorize the holding of an election in beat number (10) of Shelby county, to determine whether or not stock shall run at large in said beat;

H. 1211. To regulate the working and keeping in repair the public roads in Colbert county, and create the office of public roads supervisor for said county and prescribe his duties and powers;

H. 1073. To empower the county commissioners of Limestone county to levy and collect a special tax for the purpose of improving the public roads of said county;

H. 1218. To provide for and to regulate the fees and and attendance of witnesses in criminal proceedings in the counties of Greene, Pickens and Fayette, and to provide for the regulation and endorsement of certificates issued to witnesses so as to make the same a claim against the fine and forfeiture funds of said counties;

H. 1190. To authorize the court of county commissioners of Chambers county, Alabama to issue and sell bonds of said county to an amount not exceeding $25,000 for the purpose of building a new court house for said county;

H. 1151. To authorize the board of mayor and aldermen of Birmingham to license and regulate resturants and prohibit the erection of fruit and confectionary stands on or about the sidewalks of said city;

H. 1159. To regulate the examinations and allowances and expenditures of the commissioners court and board of revenue of Cullman county;

H. 357. To prevent and permit the making of false and fraudulent abstracts of title;

H. 432. To incorporate the Cherokee Normal Institute in Cherokee county, Alabama;

H. 1065. To repeal an act entitled an act to require the county commissioners of Coneuch county, to procure printed blanks forms of certain conveyances and printed blank record books in conformity therewith for the use of and destribution by the probate judge of said county and to regulate the fees for recording the same;

H. 1035. To incorporate the Alabama Life Association of Birmingham, Alabama;

H. 428. To constitute the town of Jacksonville, Alabama, a separate school district;

H. 1049. To regulate the number and character of bailiff in attendance upon the circuit court of Cullman county, Alabama;

H. 638½. To amend ratify and confirm the charter of Brookside, Jefferson county.

MASSEY WILSON,
Clerk.

HOUSE MESSAGE.

The house bills in the foregoing house message were severeally read once and referred to appropriate commttees as follows:

H. 1176, 1211, 1190, to local legislation;
H. 1073, to finance and taxation;
H. 1218, 1159, 357, 1049, to judiciary;
H. 1151, to penitentiary;
H. 1035, to corporations;
H. 428, 432, to education;
H. 642, 1065, to municipal and county organizations;

ADJOURNMENT.

On motion of Mr. McElderry, at 10:35 o'clock P. M., the senate adjourned until Monday morning at 10 o'clock.

FORTY-EIGHTH DAY.

SENATE CHAMBER,

Monday, February 15th, 1897.

The senate met pursuant to adjournment.
Prayer by Rev. Mr. Hall of the senate.
Present:
Messrs. President, Abercrombie, Bethune, Boykin, Brewer, Brooks, Brown, Buchanan, Cunningham, Day, Deans of Shelby, Deens, of Covington, Grant, Hall, Hawkins, Hogue, Hollis, Hundley, Kilpatrick, Lee, Matthews, McElderry, Moody, Nolen, Pettus, Robinson, Rogers, Smith, Sowell, Thomason, Walker—31.

READING OF THE JOURNAL.

On motion of Mr. Boykin the reading of the journal of yesterday was dispensed with, and it was approved.

ANNOUNCEMENT OF SELECT COMMITTEE.

The president of the senate announced as the committee to procure the portrait of the late Hon. Wm. R. King, Mr. Brewer.

REPORT FROM COMMITTEE ON RULES.

The president of the senate, Mr. Boykin presiding, from the committee on rules reported a special rule as follows:

Rule—On to-day nothing but senate bills on the calendar be considered until they are disposed of.

The report was concurred in and rule adopted.

Also,

From the same committee, reported favorably the house joint resolution raising a joint committee consisting of five from each house to consider the convict bills.

And the resolution was concurred in.

And the president announced as said committee on part of the senate, Messrs. Cunningham, McElderry, Hogue, Boykin and Deens of Covington.

REPORTS OF COMMITTEES.

Bills were reported from committees and read a second time as follows:

By Mr. Brewer from finance and taxation, favorably, with amendment—

H. 666. For the relief of Lula Morris of Lauderdale county;

Also, favorably,

H. 1073. To empower the county commissioners of Limestone county to levy and collect a special tax for the purpose of improving the public roads of said county;

By Mr. Walker from corporations favorably—

H. 1035. To incorporate the Alabama Accidental Life Association of Birmingham, Alabama;

Also,

H. 638½. An act to amend, ratify and confirm the charter of Brookside in Jefferson county;

Also,

H. 779. An act to incorporate the Great Council of Alabama of the Improved Order of Red Men;

Also,

H. 1099. To incorporate the Land Bank and the Farmer's Mutual Aid Association of America;

By Mr. Abercrombie from educational, favorably—

H. 432. To incorporate the Cherokee Normal Institute in Cherokee county, Alabama;

Also,

H. 571. To establish a separate school district to be known as the Heath district in Coffee county, Alabama;

Also,

H. 428. To constitute the town of Jacksonville, Alabama, a separate school district;

By Mr. Brewer from finance and taxation favorably, with amendment—

H. 1119. To ratify and amend the incorporation of "Steiner Brothers," a corporation organized to do a banking business under the general laws of the State of Alabama, so as to confirm in said corporation all the rights, powers, privileges, given by law to such corporations, and also to confer additional powers upon said corporation;

By Mr. Hogue from local legislation, favorably, with amendment—

H. 1211. To regulate the working and keeping in repair the public roads in Colbert county, and to create the office of public road supervisor for said county and prescribe his duties and powers, and to correct the direction of building a macademized road from Leighton;

Also, favorably,

H. 1023. To repeal an act entitled an act to amend section one and two of an act to establish partial stock law districts in Talladega county, approved February 7th, 1895, so far as the same relates to beat 7 in said county;

Also,

H. 1190. To authorize the county commissioners of Chambers county, Alabama, to issue and sell bonds of said county to an amount not exceeding $25,000 for the purpose of building a new court house for said county;

Also,

H. 1172. For the improvement of roads and bridges in Marshall county, Alabama;

Also,

H. 1077. To prevent stock from running at large in beat No. 8 in Tallapoosa county;

Also,

H. 1176. To authorize the holding of an election in beat number (10) of Shelby county to determine whether or not stock shall run at large in said beat;

Also,

H. 1156. To provide for the better working of the public roads in beats one, nine, ten and eleven, Bibb county;

Also,

H. 423. To change the line dividing the eastern stock law district of Wedowee beat, precinct No. six, Randolph county, Alabama, from the western stock law district of said beat as the same was made by the commissioners' court of said Randolph county, Alabama, and spread upon minutes of said court;

By Mr. Kilpatrick from municipal and county organization, favorably—

H. 890. To establish Ashford school district;

By Mr. Brewer from finance and taxation adversely—

H. 587. To appropriate one thousand dollars to complete the erection of a monument to the Alabama soldiers who fell in the late war between the States;

By Mr. Lee from military, favorably—

H. 1114. To regulate the volunteer military forces of the State of Alabama;

By Mr. Walker from corporations favorably—

H. 880. To incorporate the Mussell Shoals Power Co;

By Mr. Hawkins from agriculture favorably—

H. 1183. To amend subdivision 19 of section 137 of the code;

By Mr. Cunningham from penitentiary favorably—

H. 1151. To authorize the board of mayor and aldermen of Birmingham to license, regulate, restrain or prohibit the erection of fruits and confectionery stands on or above the sidewalks of said city;

By Mr. Brown from judiciary with amendment—

H. 1224. To authorize the commissioners court of

Morgan county to employ a court stenographer for the circuit court for said county, fix the compensation of said stenographer and to prescribe his duties;

Also, with amendments,

H. 234. To amend sections 3018, 3019, 3022, 3026 and 3041, of the code of 1886, as amended by an act to amend and re-enact sections 3018, 3022, 3025, 3026, 3027, 3028, ann 3041, and to amend section 3048 of the code of Alabama, approved February 18th, 1895 (Acts 1894-95, p. 1228); and to amend section 3038 of the code of Alabama, and to repeal section 3025, as amended and re-enacted, all pertaining to mechanic's and material-men's liens.

UNFINISHED BUSINESS.

The unfinished business of Saturday was next considered, being the bill,

H. 255. To amend section 3687 of the code of Alabama.

The question pending being the adoption of the substitute as amended.

The substitute was adopted.

The bill, as amended, was read a third time and passed—yeas 23; nays, 0.

Yeas:

Messrs. President, Abercrombie, Boykin, Brooks, Brown, Cunningham, Day, Deans of Shelby, Deens of Covington, Grant, Hall, Hawkins, Hogue, Hollis, Hundley, Kilpatrick, Nolen, Pettus, Robinson, Smith, Sowell, Thomason, Walker —23.

REPORT FROM COMMITTEE ON ENROLLD BILLS.

Mr. Matthews, from the committee on enrolled bills, reported the following bills as correctly enrolled:

s. 320. To incorporate the Colored Baptist Brothers and Sisters Benevolent Society;

s. 339. To amend section 7 of an act entitled an act to confirm the incorporation and organization of the McGill Institute, in the city of Mobile, and to define,

declare and enlarge the powers of said corporation, approved December 9th, 1896;

s. 431. To authorize the Adams Street Baptist church of Montgomery, Alabama, to borrow the sum of fifteen hundred dollars and to secure the payment of the same by a mortgage upon the real estate belonging to the said church;

s. 416. To amend section 4 of an act entitled an act to establish a board of revenue for Barbour county, approved February 18th, 1895;

s. 318. An act to regulate the passage of vehicles on the public roads of Montgomery county;

s. 203. To prohibit the sale of spirituous, vinous or malt liquors within that part of Tuskaloosa county which lies outside of incorporated towns and cities;

s. 238. To establish a new charter for the town of Seale, in Russell county;

s. 116. For the relief of Mrs. Fannie Parrish;

s. 383. To fix the time of holding the circuit court of Cleburne county, and to dispense with a grand jury in said court, unless such jury be ordered by the judge thereof.

SENATE BILLS SIGNED.

The president of the senate, in the presence of the senate, immediately after their titles had been publicly read by the secretary, signed the above senate bills, the titles of which are set forth in the foregoing report from the committee on enrolled bills:

RESOLUTIONS.

Mr. Matthews offered a resolution requesting the house to return to the senate the house bill No. 1185.

Adopted.

Mr. McElderry offered a resolution as follows:

Resolved by the senate, That the door-keeper be instructed to clear the lobby of the senate of all save privileged persons and members of the press, and to keep such lobby cleared for the remainder of the session.

Mr. Hundley moved to amend the resolution by making the resolution apply to to-day's session only.

Mr. McElderry moved to lay the amendment on the table.

Lost.

On motion of Mr. Brewer, the motion was laid on the table.

Mr. Day offered a resolution as follows:

Resolved by the senate, That the judiciary committee be and they are hereby requested to report their action on senate bill No. 303 immediately in order that the same may be put on the callendar.

Which was referred to committee on rules.

MESSAGE FROM THE HOUSE.

Mr. President:

The house has originated and passed and ordered to the senate without engrossment:

H. 338. To better regulate the sale of intoxicating liquors in the city of Camphill, in Tallapoosa county;

H. 422. To provide for the per diem and mileage of witnesses for the State before the criminal court of Pike county, Alabama, and to make such fees in cases where the State fails to convict, receivable in payment of fines and forfeitures accruing in said court;

H. 506. Making the fees of the officers of the court arising from certain criminal cases in Randolph county a claim and charge against the fine and forfeiture fund of said county, and to provide for their registration and payment;

H. 663. To increase the criminal jurisdiction of justice of the peace and notaries public having like powers in the county of Jackson;

H. 884. For the relief of Reuben W. Little;

H. 1032. To regulate the drawing and empannelling of the grand and petit juries in Blount county, Alabama;

H. 1048. To incorporate the Montgomery Real Estate Investment and Security Company;

H. 1102. To amend sub-division 15, article 1, section 629 of the Code, so far as the same relates to Barbour county;

H. 1107. To establish a separate school district known as Prospect school district;

H. 1116. To dispose of the lands known as the swamp and overflowed lands and the indemnity swamp lands patented to the State of Alabama pursuant to acts of the United States Congress;

H. 1177. To amend an act entitled an act for the preservation of game, animals and birds in the county of Greene, approved February 28, 1889;

H. 1178. To amend section 1 of an act to amend section 1 of an act to prevent in certain cases the sale, exchange and transportation of cotton in the counties of Montgomery, Bullock, Dallas, Russell, Lowndes, Wilcox, Sumter, Autauga, and in beats one, two, three, four, five, six, seven, eight, nine and twelve of Hale, and in sections 29, 30, 31 and 32 township 24, range 5, east, in beat 18, and all that part of beat number 18 lying south of the Black Warrior river in township 24, range 4, east, in Tuskaloosa county, and of cotton produced in said counties, approved March 1, 1881;

H. 1229. To repeal an act entitled an act to prohibit the sale of spirituous, vinous or malt liquors known as the general or omnibus bill, approved Feb. 28, 1887, so far as the same applies to Society Hill beat, in Macon county.

And has concurred in the senate amendments to

H. 316. For the relief of Wm. C. Roeck, clerk of the circuit court of Tallapoosa county.

And has originated and passed and ordered forthwith to the senate without engrossment

H. 402. To prevent overcharges on freight rates by any railroad company or persons operating a railroad in this State, and to provide for a speedy collection of overcharges.

And the speaker has appointed the following conference committee on joint convict committee: Messrs. Wiley, Barnes, Waller of Hale. Love and Altman.

And the house has concurred in the senate amendments to

H. 255. To amend section 3687 of the Code of Alabama.

And has concurred in senate joint resolution request-

ing the return to the senate of H. 1185, and herewith returns to the senate said house bill 1185.

MASSEY WILSON,
Clerk.

HOUSE MESSAGES.

The house bills in the foregoing house message were severally read once and referred to appropriate committees as follows:

H. 338, 1229, to temperance;
H. 422, 663, 1132, 1178, 402, to judiciary;
H. 506, 884, 1116, to finance and taxation;
H. 1048, to corporations;
H. 1102, 1177, to local legislation;
H. 1107, to education.

MOTION TO RECONSIDER.

On motion of Mr. Lee, the vote on the passage of the house bill No. 1185 (the omnibus temperance bill) was reconsidered, and the vote by which the bill was ordered to a third reading was reconsidered.

On motion of Mr. Lee, the bill was recommitted to committee on temperance.

The senate proceeded to consider

BILLS ON THIRD READING.

The bill,

H. 1203. To authorize the court of county commissioners of Madison county to regulate the weight and tonnage of loaded and empty wagons and other vehicles passing over the public roads of said county,

Was read a third time and passed; yeas 21, nays 0.

Yeas:

Messrs. President, Abercrombie, Boykin, Brooks, Brown, Cunningham, Deens of Covington, Grant, Hall, Hawkins, Hogue, Hollis, Hundley, Lee, McElderry, Nolen, Robinson, Smith, Sowell, Thomason, Walker —21.

The bill,

s. 469. To relieve Julia C. Wilson's real property from taxation on condition that same be used for the establishment of a Convalescent Home for Poor Children in the city of Montgomery,

Was taken up. The amendments reported by the committee were adopted.

The bill, as amended, was read a third time and passed; yeas 21, nays 0.

Yeas:

Messrs. President, Abercrombie, Boykin, Brooks, Brown, Buchanan, Case, Cunningham, Deens of Covington, Grant, Hall, Hawkins, Hogue, Hollis, Hundley, Lee, Matthews, McElderry, Nolen, Thomason, Walker —21.

The bill,

s. 487. To amend an act to incorporate the town of Hamilton, in Marion county and the State of Alabama, approved December 5th, 1896,

Was read a third time and passed; yeas 19, nays 0.

Yeas:

Messrs. President, Abercrombie, Bethune, Boykin, Brooks, Brown, Day, Deens of Covington, Hall, Hawkins, Hogue, Hollis, Hundley, Matthews, Nolen, Robinson, Sowell, Thomason, Walker—19.

The bill,

s. 482. To prevent stock from running at large in sections twenty-eight and thirty-three, township twenty, range ten, in Randolph county,

Was read a third time and passed; yeas 19, nays 0.

Yeas:

Messrs. President, Abercrombie, Brooks, Brown, Cunningham, Day, Deens of Covington, Grant, Hall, Hogue, Hollis, Hundley, Lee, Matthews, Nolen, Robinson, Sowell, Thomason, Walker—19.

The bill,

s. 34. To prevent the dismissal of actions at law and suits in equity for the reason that some court other than the one in which the cause originated, has jurisdiction of the subject matter, and to prescribe the practice in such cases,

Was read a third time and passed; yeas 17, nays 3.

Yeas:

Messrs. Brewer, Brown, Case, Deens of Covington, Grant, Hall, Hawkins, Hogue, Hollis, Lee, Matthews, McElderry, Moody, Nolen, Robinson, Sowell, Thomason—17.

Nays:

Messrs. Boykin, Hundley, Smith, voted nay—3.

The bill,

s. 35. To authorize equitable defenses to be set up in actions at law and to provide for the practice in such cases,

Was read a third time and passed; yeas 19, nays 2.

Yeas:

Messrs. Brewer, Brooks, Brown, Case, Cunningham, Deans of Shelby, Deens of Covington, Grant, Hall, Hawkins, Hogue, Hollis, Hundley, Lee, McElderry, Moody, Nolen, Robinson, Thomason—19.

Nays:

Messrs. Boykin and Smith voted nay—2.

The bill,

s. 489. To repeal an act entitled an act to provide for the more efficient assessment and collection of taxes in the State of Alabama, approved February, 1897,

Was considered.

Mr. Sayre, Mr. Sowell presiding, moved to recommit the bill to the committee on finance and taxation.

Mr. Brown demanded the previous question to recommit.

The demand was sustained and the previous question was ordered to be put; yeas 18, nays 7.

Yeas:

Messrs. President, Bethune, Boykin, Brown, Cunningham, Grant, Hall, Hawkins, Hogue, Kilpatrick, Lee, Matthews, McElderry, Pettus, Smith, Sowell, Thomason, Walker—18.

Nays:

Messrs. Day, Deans of Shelby, Deens of Covington, Hollis, Hundley, Nolen, Robinson—7.

And the motion to recommit prevailed.

Yeas:

Messrs. President, Bethune, Boykin, Brewer, Brooks,

Brown, Cunningham, Grant, Hall, Hawkins, Hogue, Kilpatrick, Lee, Matthews, McElderry, Moody, Pettus, Smith, Thomason, Walker—20.

Nays:

Messrs. Day, Deans of Shelby, Deens of Covington, Hollis, Hundley, Nolen, Robinson—7.

The bill,

H. 1111. To provide for the registration and lien of judgments for payment of money in the courts of justice of the peace in Marion county, Alabama,

Was read a third time and passed; yeas 19, nays 0.

Yeas:

Messrs. Boykin, Brewer, Case, Cunningham, Day, Deans of Shelby, Deans of Covington, Grant, Hawkins, Hogue, Hollis, Kilpatrick, Lee, Matthews, McElderry, Nolen, Robinson, Thomason, Walker—19.

The bill,

S. 493. To confer certain powers on the Columbus Water Works Company,

Was read a third time and passed; yeas 21, nays 0.

Yeas:

Messrs. President, Bethune, Boykin, Brewer, Case, Cunningham, Deens of Covington, Grant, Hall, Hawkins, Hogue, Hollis, Hundley, Lee, Matthews, McElderry, Nolen, Robinson, Smith, Thomason, Walker—21.

QUESTION OF PRIVILEGE.

Mr. Pettus arose to a question of privilege, and asked that the following statement be spread on the journal:

The undersigned members of the judiciary committee desire to state that S. B. 489 was never considered at any meeting of said committee.

PETTUS,
BOYKIN,
BROWN,
SMITH,
MCELDERRY,
HOGUE,
BETHUNE,
MOODY,
SOWELL,
KILPATRICK.

It was so ordered.

RESOLUTIONS.

Mr. Cunningham offered a resolution as follows:

Whereas, senate bill 489 appears on the senate calendar with a favorable report from the judiciary committee, and

Whereas, said bill on its face shows that it was formally referred to said committee and formally reported from same, and

Whereas, the chairman of the judiciary committee has placed upon the journal a declaration that said bill was never before said judiciary committee, therefore be it

Resolved, That the president of the senate appoint a committee of three to investigate the matter and report to the senate,

Which was immediately considered and adopted, and the president appointed Messrs. Bethune, Brewer and Sowell.

Mr. Day offered a resolution as follows:

Resolved, That the committee on finance and taxation be and are hereby instructed to report back to the senate at once senate bill No. 489,

Which was referred to committee on rules.

RECOMMITMENT OF BILLS.

On motion of Mr. Abercrombie the bill,

H. 1209. To declare the school house at Mt. Moriah to be on the line between the counties of Butler and Wilcox, and to authorize the trustees of township 11, range 11 of Wilcox county and township 11, range 12 of Butler county to locate a school at Mt. Moriah and contract with and employ teachers,

Was recommitted to committee on education.

The bill,

H. 782. An act making it unlawful for fire, fire marine and marine insurance companies not organized under the laws of the State of Alabama but legally licensed to transact fire, fire marine and marine insurance therein through regularly commissioned agents to place or cause to be placed insurance against loss by fire on property in this State except through agents located in the State

legally authorized to write policies of insurance therein, and prescribing penalties for violation of same, also to prescribe further conditions to be complied with by fire, fire marine and marine insurance companies before receiving licenses to do business in this State,

Was recommitted to the committee on finance and taxation.

MESSAGE FROM THE HOUSE.

Mr. President:

The speaker having signed the following house bills, your signature is requested to the same:

H. 976. To authorize the board of control of the Southeast Alabama Agricultural Experiment Station and School to sell and convey the lot and school building thereon, in the town of Abbeville, in Henry county, and to expend the proceeds thereof on the new school building now being erected in said town, or for the improvement of said experiment station;

H. 348. To establish the Jamestown school district in Cherokee county;

H. 769. To establish a separate school district in Barbour county, to be known as the Lodie school district;

H. 1155. To amend section 3 of an act entitled an act to authorize the commissioner's court of Tuscaloosa county to establish districts in which stock may be prevented from running at large so as to require a majority of the land owners or freeholders of the entire beat in which the proposed district is situated, instead of the majority of those of the propsed district alone;

H. 993. To amend section 15 of an act entitled an act to establish a charter for the city of Columbiana, in Shelby couty, Alabama, approved February 18th, 1895;

H. 711. To establish a separate school district in Barbour county, Alabama, to be known as the Louisville and Mt. Zion school district;

H. 520. To create a separate school district in beat 1, T. 21 and 22, R. 21 in Tallapoosa county, Alabama;

H. 1152. To require railroad companies to establish

depots in towns of more than one thousand inhabitants;

H. 124. For the better protection of girls;

H. 763. To confer certain powers on the board of control of the Jackson Agricultural College and their successors;

H. 497. To create a separate school district in portions of Cullman and Marshall counties;

H. 816. To confirm the organization and incorporation of the Birmingham, Powderly and Bessemer Railway Company, and to confer on it additional powers;

H. 863. To regulate the sale of spirituous, vinous and malt liquors within the corporate limits of the town of Lanett, Alabama;

H. 503. To regulate the payment of claims against the fine and forfeiture fund of Morgan county, Alabama;

H. 354. To establish a separate school district in townships 10 and 11 of range 18, Crenshaw county, Alabama, to be known as the Bradleytown school district;

H. 543. To require the tax assessor and tax collector of Marion and Crenshaw counties, Alabama, to keep their offices at the court house of the county;

H. 1123. To amend sections 1 and 6 of an act entitled an act to incorporate the town of Fort Deposit, in the county of Lowndes, approved February 13th, 1891;

H. 714. To incorporate the town of Jackson, Clarke county, Alabama;

H. 789. To establish a separate school district, known as the Jackson school district, in Clarke county, Alabama;

H. 368. To provide for the better support and maintenance of the public schools of Walker county, Alabama;

H. 843. To amend an act entitled an act to establish a separate school district to be known as Reynolds school district, in Henry county;

H. 750. To authorize and empower the board of control of the Northeast Alabama Agricultural School at Albertville, Alabama, to sell certain lands deeded to the State of Alabama for the benefit of said school;

H. 1025. To establish a separate school district to be known as the Point Clear district, in Baldwin county, Alabama;

H. 902. To confer additional powers upon the Birmingham Trust and Savings Co., a body corporate incorporated under the general laws of the State of Alabama;

H. 248. To amend the charter of the Sloss Iron and Steel Company, a body corporate;

H. 1003. To authorize the auditor to pay out certain moneys remaining in the State treasury as a part of the relief fund for needy confederate soldiers and sailors;

H. 865. To prescribe and define a three wire lawful fence for precinct number eleven (11), in Morgan county, Alabama;

H. 617. To amend section one (1) of an act entitled an act to create a separate school district in Cullman county, Alabama, and define the boundaries of the same, approved February 28th, 1887;

H. 612. To establish, organize, and maintain a system of public schools in Woodlawn, Jefferson county, Alabama, and to levy and collect tax for the support of said school;

H. 761. To regulate the trial of misdemeanors in the county of Tallapoosa;

H. 883. To regulate the collection of the poll tax in the Tuscumbia school district of Colbert county;

H. 223. To amend sections 1, 2, 5, 8, 11 and 14 of an act entitled an act to ratify and confirm the organization of the Tredegar Mineral Railroad and to confirm and amend the charter thereof, approved February 21st, 1893;

H. 1134. To incorporate the town of Newberne, Hale county, Alabama;

H. 908. To amend section 10 of an act entitled "an act to regulate the fine and forfeiture fund of Barbour county, and the disposal of moneys arising from fines, forfeitures and convict labor," approved February 6th, 1895;

H. 878. To establish two branch agricultural experiment stations for the colored race and to make appropriations therefor;

H. 332. To repeal sections 1, 2, 3 and 4 of an act entitled "an act to provide for returning and allowing proper credits for taxes wrongfully assessed and collected," approved December 6th, 1888;

H. 940. To establish a separate school district in Cherokee county to be known as the Leesburg school district;

H. 598. To prohibit the sale or giving away of alcoholic, spirituous, vinous or malt liquors within three miles of the Methodist church, Methodist Episcopal church and Baptist church within the town of Boaz, Marshall county;

H. 696. To repeal an act, entitled an act to establish the Sylvan agricultural district, to authorize the erection of an outside fence, and to dispense with inside fences and to defray all curruent expenses of said district;

H. 752. To prevent hogs from running at large in Mobile county within seven miles of the court house of said county;

H. 851. To make the offices of town clerks and marshal of New Decatur, Alabama, elective and to provide the time and manner of their election;

H. 592. To authorize the mayor and council of the town of Georgiana to negotiate a loan for the purpose of establishing sanitary sewerage and public water supply in the town of Georgiana, and to issue bonds for the payment of said loan;

H. 331. To repeal an act entitled "an act to provide for refunding of taxes improperly paid," approved February 18th, 1891;

H. 1054. To relieve Katie N. Campbell, of Montgomery county, of the disabilities of non-age;

H. 1044. To legalize certain act of the Christian and Craft Grocery Company of Mobile, a corporation duly organized under the laws of the State of Alabama;

H. 827. To authorize the closing and occupancy of a part of Bibb street as the same is designated and laid off according to the plat of the East Birmingham Land Company or its successors in Jefferson county;

H. 720. To prevent persons in Selma and Demopolis from being convicted twice for the same offence.

MASSEY WILSON,
Clerk.

HOUSE BILLS SIGNED.

The president of the senate, in the presence of the senate, immediately after their titles had been publicly read by the secretary, signed the above house bills, the titles of which are set out in the foregoing house message.

SPECIAL ORDER AT 12 O'CLOCK, M.

The special order for this hour,

H. 838. To regulate the mining of coal in Alabama,

Was taken up and considered.

Mr. Rogers offered several amendments, which,

On motion of Mr. Cunningham, were laid on the table.

The bill was read a third time and passed—yeas 22, nays 1.

Yeas:

Messrs. Abercrombie, Bethune, Boykin, Brooks, Brown, Case, Cunningham, Day, Deans of Shelby, Grant, Hall, Hawkins, Hogue, Hollis, Hundley, Lee, Matthews, McElderry, Moody, Nolen, Robinson, Thomason—22.

Nay:

Mr. Rogers voted nay—1.

The senate resumed consideration of

BILLS ON THIRD READING.

The bill,

s. 494. To prevent any stallion over two years old, or jackass over two years old, or bull or boar over six months old from running at large in Cullman county,

Was read a third time and passed.—yeas 18, nays 1.

Yeas:

Messrs. President, Bethune, Brown, Cunningham, Day, Deens of Covington, Grant, Hall, Hawkins, Hogue, Hollis, Hundley, Lee, Matthews, Moody, Smith, Thomason, Walker—18.

Nay:

Mr. Robinson voted nay—1.

The bill,

s. 492. To authorize the board of mayor and aldermen of the town of Woodlawn, to issue funding bonds of said town for the purpose of paying the delinquent coupons and interests on its present bonded indebtedness,

Was read a third time and passed—yeas 16, nays 1.

Yeas:

Messrs. President, Abercrombie, Bethune, Boykin, Brewer, Brooks, Cunningham, Deens of Covington, Grant, Hawkins, Hogue, Hundley, Lee, Smith, Thomason, Walker—16.

Nay:

Mr. Hollis voted nay—1.

The bill,

s. 485. To amend section 12 of an act entitled an act to provide for the more efficient assessment and collection of taxes in the State of Alabama, approved February 3rd, 1897,

Under an adverse report from the committee on finance and taxation.

Mr. McElderry moved to concur in the adverse report of the committee.

Pending its consideration,

Mr. Boykin moved to lay the bill on the table.

Carried.

Yeas 15, nays 10.

Yeas:

Messrs. President, Bethune, Boykin, Brewer, Brown, Cunningham, Grant, Hogue, Lee, Matthews, McElderry, Smith, Sowell, Thomason, Walker—15.

Nays:

Messrs. Brooks, Buchanan, Day, Deens of Covington, Hall, Hollis, Hundley, Moody, Nolen, Robinson—10.

The bill,

s. 491. To amend section one of an act entitled an act to authorize the court of county commissioners of Randolph county to issue bonds for the purpose of erecting a new court house for said county, at Wedowee, Alabama, and to levy a tax to liquidate the debt to ac-

crue thereby, approved ———, 1897,

Was read a third time and passed—yeas 20, nays 0.

Yeas:

Messrs. President, Abercrombie, Boykin, Brooks, Buchanan, Case, Day, Deans of Shelby, Deens of Covington, Grant, Hawkins, Hogue, Hollis, Lee, Matthews, Nolen, Smith, Sowell, Thomason, Walker—20.

The bill,

S. 488. To amend an act to prohibit stock from running at large in beats 1, 2, 3, 4, 5, 6, 7, 8, 11, 12, 13 and 15, Elmore county, Alabama, approved January 29th, 1897,

Under adverse report from the committee on agriculture.

The report was concurred in.

The bill,

H. 895. To regulate the trial of misdemeanors growing out of the illegal sale of spirituous, vinous or malt liquors in the county of Macon or for the violation of any of the provisions of an act regulating the sale of spirituous, vinous or malt liquors in said county,

Was read a third time and passed—yeas 18, nays 0.

Yeas:

Messrs. Abercrombie, Bethune, Boykin, Brooks, Cunningham, Day, Deans of Shelby, Deens of Covington, Grant, Hawkins, Hogue, Hollis, Hundley, Lee, Moody, Nolen, Smith, Thomason—18.

The bill,

H. 941. To amend an act, to incorporate the town of Chulafinnee, in the county of Cleburne,

Was read a third time and passed.—yeas 23, nays 0.

Yeas:

Messrs. Abercrombie, Bethune, Boykin, Brewer, Brown, Buchanan, Case, Cunningham, Day, Deans of Shelby, Grant, Hall, Hawkins, Hogue, Hollis, Hundley, Lee, Matthews, McElderry, Moody, Nolen, Robinson, Thomason—23.

The bill,

H. 504. To reduce the corporate limits of the town of Carrollton, in Pickens county,

Was read a third time and passed—yeas 21, nays 0.

Yeas:

Messrs. President, Abercrombie, Bethune, Brooks, Buchanan, Case, Day, Deens of Covington, Grant, Hall, Hogue, Hollis, Hundley, Lee, Matthews, Moody, Robinson, Smith, Sowell, Thomason, Walker—21.

The bill,

H. 918. To provide for holding elections for the adoption of stock law in Marshall county and to provide for carrying it into effect, when it shall be adopted,

Was taken up.

The amendment reported by the committee was adopted.

On the motion of Mr. Hall the bill was informally passed by.

RECESS.

The hour of one o'clock having arrived the senate took a recess until 3:30 o'clock this afternoon.

AFTERNOON SESSION.

The senate re-assembled at 3:30 o'clock P. M. and called to order by the president.

A quorum was present.

MESSAGE FROM THE GOVERNOR.

STATE OF ALABAMA,
EXECUTIVE OFFICE,
MONTGOMERY, Feb., 15th, 1897.

Mr. President:

I am directed by the governor to communicate to the senate a message in writing.

Very respectfully,

CHAPPELL CORY,
Private Secretary.

STATE OF ALABAMA, EXECUTIVE DEPARTMENT,
OFFICE OF THE GOVERNOR,
MONTGOMERY, Feb. 15th, 1897.

To the Senate:

I have the honor to inform you that Hon. A. D. Sayre, a senator from the twenty-eighth senatorial district has this day tendered to me his resignation as president of the senate, but not as senator, to take effect at 3:35 P. M. to-day, and I have accepted the same.

Respectfully,
Jos. F. JOHNSTON,
Governor.

RESIGNATION OF THE PRESIDENT.

The governor having accepted the resignation of the president of the senate to-wit: Senator A. D. Sayre, Senator from Montgomery. Mr. Sayre in returning from the chair expressed to the senate in a dignified and appropriate manner his thanks and appreciation for kindness and evidences of high regard shown towards him, the senate individually and collectively.

ELECTION OF PRESIDENT.

The retiring president announced that the next business in order was the election of a president of the senate for the unexpired term.

Mr. Boykin placed in nomination the Hon. Francis L. Pettus, the senator from Dallas county, for the office of president of the senate.

Those who voted for Mr. Pettus are:

Messrs. Abercrombie, Bethune, Boykin, Brewer, Brooks, Buchanan, Deans of Covington, Grant, Hawkins, Hogue, Lee, Matthews, McElderry, Moody, Nolen, Sayre, Smith, Sowell, Thomason—19.

Mr. Pettus having received nineteen votes which was a mayority of the senate, and all the votes cast, he was declared to be legally and constitutionally elected to be president of the senate for the term prescribed by law.

On motion of Mr. Brewer a committee of two was ap.

pointed to inform Mr. Pettus, of his election and to conduct him to the chair.

The president appointed as the committee: Messrs. Brewer and McElderry.

The committee conducted Mr. Pettus to the chair, whereupon he returned his thanks and high appreciation for the honor conferred upon him by the senate.

OATH OF OFFICE.

The oath of office was then administered to Mr. Pettus by the retiring president, and he assumed the duties of the chair.

APPOINTMENT TO COMMITTEES.

The president of the senate then announced that Mr. Sayre would be assigned to the same places on the committees of the senate, to-wit: Judiciary, commerce and common carriers, privileges and elections and rules, made vacant by the election as president.

RESOLUTIONS OF THANKS.

By leave, Mr. Brewer offered a resolution as follows:

Resolved, That it is the sense of the senate that the Hon. A. D. Sayre, has made an able, dignified and impartial officer as president of this body, and that we tender to him in his retirement from that position our sincere esteem and best wishes for his future welfare.

On motion of Mr. Boykin, the resolution was unanimously adopted by a rising vote.

RECONSIDERATION.

On motion of Mr. McElderry, the vote by which the bill H. 782 was to-day re-committed to the committee on finance and taxation,

Was reconsidered and the bill entered to its place on the calender.

MESSAGE FROM THE HOUSE.

Mr. President:

The speaker of the house having signed the following bills, your signature is requested:

H. 549. To amend section 34 of an act entitled an act to create a new charter for the city of Florence, Alabama, approved February 28th, 1889, and to authorize the city of Florence to issue bonds to purchase waterworks, and also to give a mortgage on said waterworks.

H. 622. To incorporate the "Central Trust Company of Mobile;

H. 1002, To authorize the commissioners court of Blount county to levy a tax for working the public roads of said county, and to let out said roads by contract;

H. 887. To authorize the levy and collection of a tax upon property within the city of Gadsden, Alabama, or that may be lawfully taxable therein for the maintenance of the public schools of said city;

H. 470. To incorporate the Glen Addie Volunteer Hose Company No. 2, located in the city of Anniston, Calhoun county, Alabama;

H. 1203. To authorize the court of county commissioners of Madison county to regulate the weight and tonnage of loaded and empty wagons and other vehicles passing over the public roads of said county;

H. 746. To incorporate and exempt from taxation the property of the North Alabama Colored Baptist Academy, located at the town of Courtland, in Lawrence county;

H. 1029. To create a separate school district in Jackson county, to be known as "section out of a part of township 5, range 6 east;

H. 255. To provide for the compensation of the sheriffs of Mobile and Jefferson counties for ex-officio services;

H. 837. To amend sections 2, 3 and 11 of an act entitled an act to establish a normal school for the education of white male and female teachers, at Jacksonville, in Calhoun county, approved February 22nd, 1883;

H. 316. For the relief of Wm. C. Roeck, clerk of the

circuit court of Tallapoosa county.

MASSEY WILSON,
Clerk.

HOUSE BILLS SIGNED.

The president of the senate, in the presence of the senate, immediately after their titles had been publicly read by the secretary, signed the house bills, the titles of which are set forth in the foregoing house message.

CHANGE OF COMMITTEE.

The president announced that Mr. Abercrombie was substituted for the name of Mr. Pettus on the select joint committee heretofore named to confer on the convict bills.

MESSAGE FROM THE HOUSE.

Mr. President:

The house has originated and passed, and ordered forthwith to the senate without engrossment:

H. 1057. To provide for the payment out of the convict funds for certain items of costs in felony cases, to fix the amount of said items, to prescribe the extent to which such costs will be paid, and the manner of paying them;

H. 440. To incorporate the East Gadsden Normal and Industrial Institute;

H. 533. To establish a separate school district to be known as the Pinson school district in Jefferson county;

H. 925. To prohibit circuit clerks, sheriffs and other public officers from purchasing witness certificates in civil cases;

H. 489. To prevent the sale, giving away, or otherwise disposing of cigarettes, cigarette tobacco, or cigarette papers or any substitute for any of them in the State of Alabama.

H. 1227. To require all persons elected or appointed to office or official positions to obtain a commission and

to provide for the enforcement;

H. 1031. To levy taxes for the use of the State.

MASSEY WILSON,
Clerk.

HOUSE MESSAGES.

The house bills in the foregoing house message were severally read once and refered to appropriate committees as follows:

H. 1057, to penitentiary;
H. 440, 533, to education;
H. 925, 1227, to judiciary;
H. 489, to public health;
H. 1031, to finance and taxation;

RESOLUTIONS.

Mr. Cunningham offered a resolution as follows:

Resolved, That the senate adjourn at six o'clock and met again at seven thirty o'clock to-night, for the consideration of local and special bills, to be called up by senators,

Which was adopted.

Mr. Sayre offered a resolution, to make the bill H. 587, aparamount special order at 11 o'clock A. M. on Thursday next.

Which was referred to committee on rules.

REPORTS FROM COMMITTEE.

Mr. Moody from the committee on temperance reported favorably with amendments the bill,

H. 1185. To prohibit the sale, giving away or otherwise disposing of spirituous, vinous or malt liquors or intoxicating bitters or beverages within six miles of Dothan High School, except in Dothan in Henry county, and other incorporated towns; and within five miles of the court house in Edwardsville, Cleburne county; and within one mile of the Baptist church in the town of Victoria in Coffee county; and within three miles of the Pleasant Hill Methodist church in Coosa county; within three miles

of Baileyton, Cullman county; and within three miles of Indian Creek Baptist church in precinct number five in Bullock county; and within six miles of the agricultural school in the town of Abbeville, except within the corporate limits of the town of Abbeville, Henry county; and within Frankfort beat number three in Franklin county, and within three miles of Hill's Chapel and Silone churches situated in Hill's beat Franklin county; and in that part of Tuscaloosa county which lies outside of incorporated cities and towns; and within three miles of Bethany M. E. Church South, in beat twelve Coosa county; and within precinct number eight including the incorporations of the towns of Fitzpatrick and Thompson, in Bullock county; within three miles of the town of Woodville, in Jackson county; and the sale of spirituous bitters or intoxicating beverages in Montgomery county, outside of police jurisdiction of the city of Montgomery.

The amendments reported by the committee are as follows:

Strike out in the caption and first section of the bill the words "except within the corporate limits of the town of Abbeville" also, strike out in the caption and first section of the bill the following words, "and within that part of Tuscaloosa county which lies out side of incorporated towns and cities" also, strike out in the caption and first section of the bill the word "Silone" and insert instead the word "Siloam,"

Which was adopted.

Mr. Hawkins offered an amendment, as follows:

Amend by adding at the end of the caption and at the end of the first section of the bill the words "in beat one Barbour county, provided however, the law shall not be in force in beat one in Barbour county, December 31st, 1897,"

Which was adopted.

The bill was again read a third time and passed—yeas 18, nays 0.

Yeas:

Messrs. President, Brewer, Brooks, Buchanan, Day, Deans of Shelby, Deens of Covington, Hall, Hawkins, Hollis, Lee, Matthews, McElderry, Moody, Nolen, Smith, Sowell, Thomason.—18.

REPORT FROM COMMITTEE ON RULES.

Mr. Sayre from the committee on rules reported favorably the resolution making the bill H. 587 the paramount special order for 11 o'clock A. M. on Thursday next.

The report was concurred in and resolution adopted.

MESSAGE FROM THE GOVERNOR.

STATE OF ALABAMA, EXECUTIVE DEPARTMENT
OFFICE OF THE GOVERNOR,
MONTGOMERY, February 12, 1897.

Mr. President:

The governor has approved the following bills which originated in the senate:

Senate bills numbered 429, 356 275, 449, 254, 244, 116, 203, 320, 416, 339, 431, 318 and 238.

Very respectfully,

JAMES B. SIMPSON,
Recording Secretary.

BILLS ON A THIRD READING.

The bill,

H. 636. To regulate the ex-officio fees of the sheriffs of Autauga, Bibb and Pickens counties,

Was read a third time and passed--yeas 19, nays 0.

Yeas:

Messrs. Brewer, Brooks, Brown, Buchanan, Cunningham, Day, Deans of Shelby, Deens of Covington, Hall, Hawkins, Hollis, Matthews, McElderry, Moody, Sayre, Nolen, Smith, Sowell, Thomason—19.

The bill,

H. 1045. To provide for the filling and emptying the jury box or boxes of Tuscaloosa county and for the drawing and summoning grand and petit jurors for Tuscaloosa county in certain cases,

Was read a third time and passed—yeas 20, nays 0.

Yeas:

Messrs. Bethune, Boykin, Brewer Brooks, Buchanan, Cunningham, Deens of Covington, Grant, Hall, Haw-

kins, Hogue, Hollis, Matthews, Moody, Nolen, Pettus, Robinson, Sayre, Smith, Sowell, Thomason—20.

The bill,

H. 1097. To amend section 3286 of the Code of 1876, as re-enacted in an act entitled an act to re-enact sections 3286, 3287 and 3288 of the Code of 1876, so far as it relates to Wilcox, Macon, Marengo and Washington counties, appoved December 10th, 1886, so far as it relates to Macon county,

Was read a third time and passed—yeas 21, nays 0.

Yeas:

Messrs. President, Abercrombie, Bethune, Brewer, Buchanan, Cunningham, Day, Deans of Shelby, Deens of Covington, Grant, Hawkins, Hogue, Hollis, Kilpatrick, Lee, Matthews, Nolen, Pettus, Sayre, Smith, Sowell, Thomason—21.

The bill,

H. 1201. To incorporate the Montgomery—Elmore Bridge and Improvement Company,

Was read a third time and passed—yeas 24, nays 0.

Yeas:

Messrs. Abercrombie, Bethune, Boykin, Brooks, Buchanan, Cunningham, Day, Deans of Shelby, Deens of Covington, Grant, Hall, Hawkins, Hogue, Hollis, Kilpatrick, Lee, Matthews, McElderry, Nolen, Pettus, Sayre, Smith, Sowell, Walker—24.

The bill,

H. 623. To prohibit within five miles of Brookwood, in Tuscaloosa county, the soliciting or taking of orders to be filled elsewhere, of alcoholic, vinous or malt liquors or other intoxicating drinks or beverages, or fruits preserved in alcoholic liquors,

Was read a third time and passed.—yeas 19, nays 0.

Yeas:

Messrs. President, Bethune, Brewer, Brooks, Buchanan, Cunningham, Day, Deans of Shelby, Grant, Hawkins, Hogue, Hollis, Kilpatrick, Lee, Matthews, Nolen, Sayre Smith. Thomason—19.

The bill,

H. 767. To repeal an act entitled an act to provide for the appointment of an official stenographer for the circuit and chancery courts in the county of Mobile, and

the city court of the city of Mobile, and to define his duties and regulate his compensation, approved February 12th, 1879, and the act amending said act approved January 25th, 1895,

Was read a third time and passed.—yeas 20, nays 0.

Messrs. President, Bethune, Brewer, Brooks, Brown, Buchanan, Cunningham, Day, Deans of Shelby, Deens of Covington, Grant, Hawkins, Hogue, Hollis, Lee, Matthews, Nolen, Rogers, Sayre, Smith, Thomason—20.

The bill;

H. 166. To provide for the payment into the fine and forfeiture fund of Jefferson county of all solicitors fees now forming a part of the general fund of said county, after payment of an appropriation of three thousand dollars per annum to be paid to assist the solicitor of Jefferson county in suppressing crime as provided in an act approved February 18th, 1891,

Was read a third time and passed—yeas 18, nays 0.

Yeas:

Messrs. President, Abercrombie, Bethune, Brooks, Buchanan, Cunningham, Day, Deans of Shelby, Deens of Covington, Grant, Hall, Hawkins, Hogue, Hollis, Kilpatrick, Nolen, Thomason, Walker—18.

The bill,

H. 674. To provide for the payment of grand jury certificates heretofore issued by the foreman of grand jury, when the same have been registered, in Madison county,

Was read a third time and passed—yeas 17, nays 0.

Yeas:

Messrs. Abercrombie, Brewer, Brooks, Brown, Buchanan, Cunningham, Day, Deans of Shelby, Deens of Covington, Grant, Hall, Hawkins, Hogue, Lee, Nolen, Sowell, Thomason, Walker—17.

The bill,

H. 492. For the relief of W. H. Slaughter and the estate of W. H. Slaughter, deceased,

Was read a third time and passed—yeas 21, nays 0.

Yeas:

Messrs. Abercrombie, Bethune, Boykin, Brooks, Buchanan, Cunningham, Day, Deans of Shelby, Deans of Covington, Grant, Hall, Hawkins, Hogue, Hollis, Kil-

patrick, Lee, Nolen, Smith, Sowell, Thomason, Walker—21.

The bill,

H. 877. For the relief of W. H. Edwards and Toney Horn, of Choctaw county,

Was read a third time and passed—yeas 20, nays 0.

Yeas:

Messrs. Abercrombie, Bethune, Brooks, Buchanan, Day, Deens of Covington, Grant, Hall, Hawkins, Hogue, Hollis, Kilpatrick, Lee, Moody, Nolen, Robinson, Smith, Sowell, Thomason, Walker—20.

The bill,

H. 949. To fix and regulate the fees of the register in chancery of Lamar, Jefferson, Tuscaloosa, Russell, Macon, Hale, Chambers, Wilcox, Colbert, Calhoun, Lowndes, Perry, Bibb, Clarke, Washington, Montgomery, Greene, Barbour, Randolph, Morgan, Bullock, Mobile, and Fayette counties.

Was taken up.

And Mr. Brooks moved, by request, to add the county of Henry to the bill.

And Mr. Lee moved to add the county of Escambia.

Mr. Sayre moved to amend by striking out all of the counties from the bill.

On motion of Mr. Brooks the bill and amendments were laid on the table.

Yeas 14, nays 11.

Yeas:

Messrs. Brewer, Brooks, Day, Deans of Shelby, Deens of Covington, Hall, Hawkins, Hogue, Hollis, McElderry, Nolen, Robinson, Sayre, Thomason—14.

Nays:

Messrs. Bethune, Boykin, Buchanan, Cunningham, Grant, Lee, Matthews, Moody, Smith, Sowell, Walker—11.

H. 1147. To authorize the mayor and aldermen of the city of Florence, Alabama, to appoint a board of public works for said city and to define the powers and duties of such board,

Was read a third time and passed—yeas 18, nays 0.

Yeas:

Messrs. President, Bethune, Boykin, Brewer, Brooks,

Buchanan, Deans of Shelby, Grant, Hawkins, Hollis, Lee, Moody, Nolen, Robinson, Sayre, Smith, Sowell, Thomason—18.

MESSAGE FROM THE GOVERNOR.

Was received.

STATE OF ALABAMA, EXECUTIVE OFFICE,

MONTGOMERY, Feb. 15, 1897.

Mr. President:

I am directed by the Governor to communicate to the senate an executive message in writing.

Respectfully,

CHAPPELL CORY,

Private Secty.

EXECUTIVE SESSION.

At 5:28 o'clock P. M., on motion of Mr. Sayre, the senate proceeded to consider the message from the Governor, in executive session. At 5:33 o'clock P. M. the executive session was dissolved.

On motion of Mr. Sayre the secretary was directed to spread on the journal, the result of the executive session, and to notify the Governor thereof.

The senate in executive session consented to and confirmed the nomination of Daniel Pratt of Autauga county vice W. H. Northington resigned, for trustee of the University of Alabama.

SPECIAL ORDER.

The special order for the morning hour,

H. 972. To amend the revenue laws of the State of Alabama,

Was taken up.

On motion of Mr. Brewer, the bill was considered as in the committee of the whole.

After some time spent in its consideration the hour of 6 :00 o'clock P. M. arrived.

RECESS.

And the senate took a recess until 7 :30 o'clock tonight.

NIGHT SESSION.

The senate reassembled at 7 :30 o'clock P. M., and was called to order by the president.

A quorum was present.

MESSAGE FROM THE HOUSE.

Mr. Pressdent:

The house has originated and passed the following house bill, and ordered the same forthwith to the senate without engrossment:

H. 652. To require the tax collector of Conecuh county to remain at the court house of said county from the fifteenth of October to 31st day of December, of each year.

MASSEY WILSON,
Clerk.

And has concurred in the senate amendments to

H. 1185. To prohibit the sale, giving away or otherwise disposing of spiriuous, vinous or malt liquors, or intoxicating bitters or beverages within six miles of Dothan High School, except in Dothan, in Henry county, and other incorporated towns; and within one mile of the Baptist church in the town of Victoria, in Coffee county; and within three miles of Pleasant Hill Methodist church in Coosa county; and within three miles of Baileyton, Cullman county; and within three miles of Indian Creek Baptist Church in precinct No. 5, in Bul-

lock county; and within six miles of the agricultural school in the town of Abbeville, Henry county; and within Frankfort beat No. 3 in Franklin county; and within three miles of Hill's chapel and Siloam churches situated in Hill's beat Franklin county; and within three miles of Bethany M. E. Church South, in beat 12 Coosa county; and within precinct number eight, including the incorporations of the towns of Fitzpatrick and Thompsons in Bullock county; within three miles of the town of Woodville, in Jackson county, and the sale of spirituous bitters or intoxicating beverages in Montgomery county outside of the police jurisdiction of the city of Montgomery, in beat one in Barbour county;

And has passed the following senate bills:

s. 417. To amend an act approved February 12, 1879, entitled an act to establish the Warrior Agricultural district, to provide for the securingt of the same and the management of its affairs;

s. 383. Te fix the time of holding circuit court in Cleburne county, and to dispense with a grand jury in said court unless such jury be ordered by the judge thereof;

s. 458. To fix the amount of city licenses on wholesale or retail dealers in spirituons, vinous or malt liquors, within the corporate limits of Jasper, Alabama;

s. 297. To preserve order at the Pensacola District Camp Ground in Escambia county, Alabama.

And has amended as therein shown, and as amended has passed,

s. 342. To amend an act entitled an act to establish a new charter for the city of Huntsville, approved December 9th, 1896,

And has passed

s. 391. To repeal an act entitled an act to regulate the trial of misdemeanors in St. Clair county, Alabama, approved 18th February, 1891;

s. 375. To amend sections 1 and 3 of an act to incorporate the South Alabama and Gulf Railroad Company, approved February 18th, 1895;

s. 66. To make valid and chargable against the fine and forfeiture fund of Escambia county, Alabama, certain witness scrip or witness certificates

issued by the foreman of the grand jury of Escambia county, Alabama, and have said scrip or witness certificates paid by the treasurer of said county in the order of their registration;

s. 468. To further define general assignments and to prevent the fraudulent disposition of property;

s. 395. To authorize the court of county commissioners of Tuskaloosa county to issue and sell bonds of said county to an amount not exceeding $15,000 for the purpose of paying the interest and principal of the indebtedness incurred in building the present bridge across the Warrior river at Tuskaloosa, Alabama,

And has amended, as therein shown, and as amended, has passed,

s. 447. To provide for the removal of suits of unlawful detainer and forcible entry and detainer from the courts of justice of the peace and other officers to the circuit court and to prescribe sales of practice and evidence in such cases in the circuit court,

And has passed,

s. 228. To establish a separate school district in Calhoun county to be callled Randolph School District;

s. 478. To adopt a code of laws for the State of Alabama;

s. 479. To provide for the publication and distribution the Code of Alabama,

And has amended as therein shown and as amended, has passed,

s. 99. To amend section one of an act approved February 13, 1891, entitled an act to amend an act for the relief of needy Confederate soldiers and sailors, residents of Alabama, who from wounds or other causes are unable to earn a livelihood, and for the widows of such as were killed or died in said war, and have not since remarried; approved February 18th, 1895.

MASSEY WILSON,
Clerk.

HOUSE MESSAGE.

The house bill just received, the title of which is set out in the foregoing house message was read once and

referred to the appropriate committee as follows:

H. 652. To judiciary.

The senate concurred in the house amendment to the senate bill s. 342, the title of which is set out in the foregoing house message:

Yeas 20, nays 0.

Messrs. President, Bethune, Boykin, Brewer, Brooks, Buchanan, Cunningham, Deans of Shelby, Deens of Covington, Grant, Hawkins, Hogue, Hollis, Lee, Matthews, McElderry, Sayre, Smith, Thomason, Walker, —20.

The senate also concurred in the house amendments to the s. 447, the title of which is set out in the foregoing house message:

Yeas 18, nays 0.

Yeas:

Messrs. President, Bethune, Boykin, Brewer, Brooks, Brown, Cunningham, Deans of Shelby, Deens of Covington, Grant, Hawkins, Hogue, Hollis, Matthews, McElderry, Sayre, Smith, Walker—18.

The senate also concurred in the house amendments to the senate bill s. 99, the title of which is set out in the foregoing house message.

Yeas, 19, nays 0.

Yeas:

Messrs. President, Bethune, Boykin, Brewer, Brooks, Cunningham, Deans of Shelby, Deens of Covington, Grant, Hawkins, Hogue, Hollis, Lee, McElderry, Moody, Sayre, Smith, Thomason, Walker—19.

REPORT FROM COMMITTEE ON ENROLLED BILLS

Mr. Matthews, from the committee on enrolled bills, reports the following bills as correctly enrolled:

s. 66. To make valid and chargable against the fine and forfeiture fund of Escambia county, Alabama, certain witness scrip or witness certificates issued by the the foreman of the grand jury of Escambia county, Alabama, and have said scrip or witness certificates paid by the treasurer of said county in the order of their registration;

s. 228. To establish a separate school district in Cal-

houn county, to be called Randolph school district;

s. 297. To preserve order at the Pensacola district Camp Ground, in Escambia county, Alabama;

s. 375. To amend sections 1 and 3 of an act to incorporase the South Alabama and Gulf Railroad Company, approved Feb. 18th, 1895;

s. 395. To authorize the court of county commissioners of Tuskaloosa county to issue and sell bonds of said county to an amount not exceeding $15,000 for the purpose of paying the interest and principal of the indebtedness incurred in building the present bridge across the Warrior river at Tuskaloosa;

s. 417. To amend an act approved February 12th, 1879, entitled an act to establish the Warrior Agricultural district, to provide for the securing of the same, and the management of its affairs;

s. 468. To further define general assignments and to prevent the fraudulent disposition of property;

s. 478. To adopt a code of laws for the State of Alabama;

s. 458. To fix the amount of city license on wholesale or retail dealers in spirituous, vinous or malt liquors within the corporate limits of Jasper, Alabama;

s. 391. To repeal an act entitled an act to regulate the trial of misdemeanors in St. Clair county, Alabama, approved 18th Feb., 1881

SENATE BILLS SIGNED.

The president of the senate, in the presence of the senate, immediately after their titles had been publicly read by the secretary, signed the above senate bills, the titles of which are set fourth in the foregoing report from the committee on enrolled bills.

MESSAGE FROM THE HOUSE.

Mr. President:

The house nas adopted the following resolution, relative to requesting the senate to remain in session for the purpose of receiving house messages.

MASSEY WILSON,
Clerk.

HOUSE MESSAGES.

The house joint resolution just received was referred to the committee on rules.

MESSAGE FROM THE HOUSE.

Mr. President:

The speaker of the house, having signed the following bills, your signature is requested thereto:

H. 565. To authorize the preparation and filling of a jury box for Chilton county, to legalize the same, and provide for drawing the juries for the courts to be held in said county;

H. 921. To amend section 1 of an act to establish a new charter for the City of Montgomery, approved December 9th, 1896;

H. 610. To establish a separate school district in Franklin county, Alabama, to be known as the Belgreen school district, and to fix the boundaries of same;

H. 772. To amend sections seventeen (17) and twenty-five (25) of an act approved February 18, 1895, entitled an act to establish a new charter for city of Anniston.

H. 895. To regulate the trial of misdemeanors growing out of the illegal sale of spirituous, vinous or malt liquors in the county of Macon, or for the violation of any of the provisions of an act regulating the sale of spirituous, vinous or malt liquors in said county;

H. 504. To reduce the corporate limits of the town of Carrollton, in Pickens county;

H. 941. To amend an act to incorporate the town of Chulafinnee, in the county of Cleburne;

H. 832. To amend section one of an act for the protection of land and property against the depredations of live stock in portion of precincts No. one, two, three, four, five and six in Autauga county;

Also,

H. 914. To amend an act entitled an act to provide for the making and maintaining the public roads and

bridges of Jefferson county, Alabama, approved December 18th, 1894;

H. 1111. To provide for the registration and lien of judgments for the payment of money in the courts of justice of the peace and notary public with powers of justice of the peace in Marion and Etowah counties, Alabama;

H. 1185. To prohibit the sale, giving away or otherwise disposing of spirituous, vinous or malt liquors or intoxicating bitters or beverages, within six miles of Dothan high school except in Dothan in Henry county, and other incorporated towns; and within one mile of the Baptist church in the town of Victoria in Coffee county, and within three miles of Pleasant Hill Methodist church in Coosa county; and within three miles of Baileyton, Cullman county; and within three miles of Indian Creek Baptist church, in precinct number 5, in Bullock county; and within six miles of the agricultural school in the town of Abbeville, Henry county; and within Frankfort Beat number 3, in Franklin county; and within three miles of Hill's Chapel and Siloam churches, situated in Hill's Beat, Franklin county; and within three miles of Bethany M. E. church S., in beat 12, Coosa county; and within precinct number eight, including the incorporations of the towns of Fitzpatrick and Thompson, in Bullock county; within three miles of the town of Woodville, in Jackson county; and the sale of spirituous bitters or intoxicating beverages in Montgomery county, outside of police jurisdiction of the city of Montgomery; in beat one in Barbour county; Provided, however, the law shall not be in force in beat one in Barbour county until December 31st, 1897.

MASSEY WILSON,
Clerk.

HOUSE BILLS SIGNED.

The president of the senate, in the presence of the senate, immediately after their titles had been publicly read by the secretary, signed the above house bills, the titles of which are set out in the foregoing house message.

REPORT OF COMMITTEE ON RULES.

The president of the senate, Mr. Brewer presiding, reported favorably the house joint resolution requesting the senate to remain in session until 11:00 o'clock to-night, and also reported the following resolution:

Resolved, That the senate accede to the request of the house of representatives with reference to adjournment to-night, and the secretary be directed to so inform the house.

The report was concurred in and the resolution adopted.

BILLS ON THIRD READING.

The bill,

H. 405. To incorporate the town of West Blocton, Alabama,

Was taken up.

The amendments reported by the committee were severally adopted.

The bill as amended was read a third time and passed—yeas 16, nays 2.

Yeas:

Messrs. President, Bethune, Boykin, Brewer, Brooks, Cunningham, Deans of Shelby, Deens of Covington, Grant, Hawkins, Hogue, Hollis, Nolen, Sayre, Smith, Thomason—16.

Nays:

Messrs. Matthews and Moody voted nay—2.

The bill,

H. 938. To create a separate school district in the county of Macon, to be known as the Cross Keys High School District,

Was read a third time and passed—yeas 20, nays 0.

Yeas:

Messrs. President, Bethune, Boykin, Brewer, Brooks, Brown, Cunningham, Deans of Shelby, Deens of Covington, Grant, Hawkins, Hogue, Hollis, Matthews, McElderry, Moody, Nolen, Sayre, Smith, Thomason—20.

The bill,

H. 999. To establish, open, improve, work and keep in good condition the public roads in Autauga county, Alabama,

Was read a third time and passed—yeas 20, nays 0.

Yeas:

Messrs. President, Bethune, Boykin, Brewer, Brooks, Brown, Cunningham, Deans of Shelby, Deens of Covington, Grant, Hawkins, Hogue, Hollis, Matthews, McElderry, Moody, Nolen, Sayre, Smith, Thomason—20.

The bill,

H. 653. To provide for the security and protection of the public bridges, public mills and mill dams in the county of Dale, in the State of Alabama,

Was taken up.

The amendment reported by the committee, to add Geneva county to the caption and body of the bill,

Was adopted.

The bill, as amended, was read a third time and passed —yeas 21, nays 0.

Yeas:

Messrs. President, Bethune, Brewer, Brooks, Brown, Cunningham, Day, Deans of Shelby, Deens of Covington, Grant, Hall, Hawkins, Hogue, Hollis, Lee, Matthews, McElderry, Nolen, Sayre, Smith, Thomason—21.

The bill,

S. 460. To prevent stock from running at large in section 12, township 19, range 11, lying partly in Dallas county and partly in Autauga county, and in all of sections 13, 14, 21, 22, 27, 28, and in the east half of section 15, and in the north half of sections 23, 24, 33 and 34, all in township 19 and range 11, in Dallas county, and in all that part of the south-west quarter of section 18, and in all that part of the north-west quarter of section 19, all in township 19, range 12, lying west of Mulberry creek, in Dallas county,

Was read a third time and passed—yeas 23, nays 0.

Yeas:

Messrs. President, Bethune, Boykin, Brewer, Brooks, Brown, Cunningham, Day, Deans of Shelby, Deens of Covington, Grant, Hall, Hawkins, Hogue, Hollis, Lee,

Matthews, McElderry, Nolen, Sayre, Sowell, Thomason, Walker—23.

The bill,

H. 839. To provide for the inspection and sale of illuminating oils in the State of Alabama,

Was read a third time and passed.—yeas 18, nays 1.

Yeas:

Messrs. President, Bethune, Boykin, Brewer, Brown, Cunningham, Deans of Shelby, Deens of Covington, Grant, Hall, Hawkins, Hogue, Lee, Matthews, Sayre, Smith, Thomason, Walker—18.

Nay:

Mr. Hollis voted nay—1.

The bill,

H. 726. To make appropriations for additional compensation for the clerk in the office of the secretary of State and for the clerks in the State auditor's office and for additional clerical assistance therein,

Was taken up.

The substitute reported by the committee was adopted.

The bill, as amended, was read a third time and passed—yeas 18, nays 0.

Yeas:

Messrs. President, Bethune, Boykin, Brewer, Brown, Cunningham, Deans of Shelby, Deens of Covington, Grant, Hall, Hawkins, Lee, Matthews, Sayre, Smith, Sowell, Thomason, Walker—18.

The bill,

H. 745. For the relief of John C. Vines, and to authorize the governor to relinquish to the United States the S. E. ¼ of S. W. ¼ of section 7, T. 17, S. R. 6 W., Jefferson county, Alabama,

Was taken up.

The substitute reported by the committee was adopted.

And the bill as amended was read a third time and passed—yeas 19, nays 0.

Yeas:

Messrs. President, Bethune, Brewer, Brooks, Cunningham, Deans of Shelby, Deens of Covington, Grant, Hall, Hawkins, Hogue, Hollis, Lee, Matthews, Mc-

Elderry, Nolen, Smith, Thomason, Walker—19.

The bill,

H. 431. Prohibiting the sale or giving away of any spiritous, vinous or malt liquors within five miles of any school house or church of any denomination in Cherokee county,

Was read a third time and passed—yeas 17, nays 0.

Yeas:

Messrs. President, Bethune, Brewer, Brooks, Cunningham, Deans of Shelby, Deens of Covington, Grant, Hall, Hawkins, Hogue, Hollis, Lee, Smith, Sowell, Thomason, Walker—17.

The bill,

H. 757. To incorporate the town of Wilsonville in the county of Shelby,

Was taken up.

Mr. Deans of Shelby offered an amendment,

Which was adopted.

The bill as amended was read a third time and passed—yeas 20, nays 0.

Yeas:

Messrs. President, Bethune, Brewer, Brooks, Cunningham, Deans of Shelby, Deens of Covington, Grant, Hall, Hawkins, Hogue, Lee, Matthews, McElderry, Nolen, Sayre, Smith, Sowell. Thomason, Walker—20.

The bill,

H. 414. To amend an act entitled an act to establish a new charter for the town of Attalla, approved February 28th, 1889,

Was read a third time and passed—yeas 17, nays 0.

Yeas:

Messrs. President, Bethune, Brewer, Brooks, Deans of Shelby, Deens of Covington, Grant, Hall, Hawkins, Hogue, Hollis, Matthews, McElderry, Nolen, Robinson, Smith, Thomason—17.

The bill,

H. 959. To encourage and protect the raising and growing of fruit in the State of Alabama,

Was read a third time and passed—yeas 15, nays 3.

Yeas:

Messrs. Bethune, Brooks, Cunningham, Deans of Shelby, Grant, Hall, Hawkins, Hogue, Hollis, Lee, Matthews,

Nolen, Smith, Thomason, Walker—15.

Nays:

Messrs. President, Deens of Covington, McElderry—3.

The bill,

H. 404. To better provide for the establishment and working of the public roads in Lauderdale county, Alabama,

Was read a third time and passed—yeas 17, nays 0.

Yeas:

Messrs. President, Bethune, Brewer, Brooks, Cunningham, Deens of Covington, Grant, Hall, Hawkins, Hogue, Hollis, Lee, Matthews, Nolen, Smith, Thomason, Walker—17.

The bill,

H. 511. To amend an act to create and establish an industrial school for white girls in the State of Alabama,

Was read a third time and passed—yeas 17, nays 0.

Yeas:

Messrs. Bethune, Brewer, Brooks, Cunningham, Deans of Shelby, Deens of Covington, Grant, Hall, Hawkins, Hogue, Hollis, Matthews, McElderry, Nolen, Smith, Thomason, Walker—17.

The bill,

H. 390. To amend an act entitled an act to confirm and amend the charter of the Alabama Home Building and Loan Association, approved February 21st, 1893,

Was read a third time and passed—yeas 15, nays 2.

Yeas:

Messrs. President, Bethune, Brewer, Brooks, Cunningham, Deens of Covington, Grant, Hall, Hawkins, Hogue, Lee, Matthews, Nolen, Sayre, Thomason—15.

Nays:

Messrs. McElderry, and Smith voted nay—2.

The bill,

H. 905. To confirm the incorporation of the Beauvoir Club of Montgomery, Alabama, and to enlarge the powers and capacities of said club,

Was read a third time and passed—yeas 16, nays 2.

Yeas:

Messrs. President. Bethune, Brewer, Brooks, Cunningham, Deens of Covington, Grant, Hall, Hawkins, Lee,

Matthews, McElderry, Sayre, Smith, Thomason, Walker —16.

Nays:

Messrs. Boykin and Hogue voted nay—2.

The bill,

H. 1113. To fix the fees of the circuit clerk in the county of Lamar in criminal cases,

Was read a third time and passed—yeas 19, nays 0.

Yeas:

Messrs. President, Boykin, Brewer, Brooks, Buchanan, Cunningham, Deens of Covington, Hall, Hawkins, Hogue, Hollis, Lee, Matthews, McElderry, Nolen, Sayre, Smith, Thomason, Walker—19.

The bill,

H. 1181. To pay for articles purchased for the use of senate and house of representatives and for repairing the senate chamber and hall of the house of representatives, and for repairing and furnishing the rooms of the engrossing and enrolling clerks of the house of representatives,

Was read a third time and passed—yeas 20, nays 0.

Yeas:

Messrs. President. Bethune, Brewer, Brooks, Cunningham, Day, Deans of Shelby, Deens of Covington, Grant, Hawkins, Hogue, Hollis, Lee, Matthews, McElderry, Moody, Nolen, Sayre, Smith, Thomason, Walker—20.

The bill,

H. 669. To prohibit the sale, giving away or otherwise disposing of any alcoholic, vinous, or malt liquors other intoxicating drinks or beverages within three (3) miles of Wesley's chapel in Shoalford beat in Limestone county; also beats 5, 6, 7, known respectively as Gilbertsboro, Wickam and Pleasant Grove, in west Limestone,

Was read a third time and passed—yeas 20, nays 0.

Yeas:

Messrs. President, Bethune, Boykin, Brooks, Cunningham, Deans of Shelby, Deens of Covington, Grant, Hall, Hawkins, Hogue, Hollis, Lee, Matthews, McElderry, Moody, Nolen, Sayre, Smith, Thomason—20.

The bill,

H. 1076. To provide for the payment of the costs in

the case of the State vs. Steve, alias Stephen Camp, lately convicted of arson by the city court of Talladega and who died before sentence was passed,

Was taken up.

The amendments reported by the committe were severally adopted.

The bill as amended, was read a third time and passed.—yeas 18, nays 0.

Yeas:

Messrs. President, Bethune, Brewer, Brooks, Brown, Cuninngham, Deans of Shelby, Deens of Covington, Grant, Hall, Hawkins, Hogue, Hollis, Lee, McElderry, Nolen, Smith, Thomason, Walker—18.

The bill,

H. 1030. To prevent stock from running at large in certain portions of Tuscaloosa county,

Was read a third time and passed—yeas 17, nays 0.

Yeas:

Messrs. President, Bethune, Boykin, Brewer, Brooks, Brown, Cunningham, Deens of Covington, Grant, Hall, Hawkins, Hogue, Lee, McElderry, Smith, Thomason, Walker—17.

The bill,

H. 717. To authorize Ozark Lodge No. 349 of Free and Accepted Masons, within and belonging to the jurisdiction of the Grand Lodge of Free and Accepted Masons of the State of Alabama, to issue and sell bonds for the payment of its outstanding debts, and to provide for the payment thereof, and the interest thereon,

Was read a third time and passed—yeas 18, nays 0.

Yeas:

Messrs. President, Bethune, Boykin, Brewer, Brooks, Brown, Cunningham, Deens of Covington, Grant, Hall, Hogue, Hollis, Lee, McElderry, Nolen, Sowell, Thomason, Walker—18.

The bill,

H. 929. To authorize the National Building and Loan Association of Montgomery, Alabama, a corporation duly organized and existing under the general laws of the State of Alabama to issue paid up stock and loan money to its members on its stock,

Was read a third time and passed—yeas 18, nays 0.

Yeas:

Messrs. President, Bethune, Boykin, Brooks, Brown, Cunningham, Deans of Shelby, Deens of Covington, Hall, Hawkins, Hogue, Hollis, Lee, McElderry, Moody, Nolen, Sayre, Sowell, Thomason, Walker—20.

The bill,

H. 86. To fix the compensation of the members of the board of revenue and road commissioners for Mobile county,

Was read a third time and passed—yeas 22, nays 0.

Yeas:

Messrs. President, Bethune, Boykin, Brewer, Brooks, Brown, Cunningham, Deans of Shelby, Deens of Covington, Grant, Hall, Hawkins, Hogue, Lee, McElderry, Moody, Nolen, Sayre, Smith, Sowell, Thomason, Walker, —22.

Mr. Thomason moved to take from the table the bill

H. 188. To give physicians a lein upon the personal property of any person for the payment of medicines furnished and services rendered to such person or his family, not to exceed the sum of ten dollars per year, and to provide for the enforcement of such lien. Provided that the provisions of this act shall not apply to the counties of DeKalb, Monroe, Cleburne, Jefferson, Talladega, Marshall, Cherokee, Montgomery, Chilton, Lee, Franklin, Coosa, Dallas, Colbert, Bullock, Lawrence, Clay, Lamar, Tuskaloosa, Cullman, St. Clair, Conecuh, Shelby, Clarke, Washington, Jackson, Marion, Mobile, Dale, Henry, Barbour, Baldwin, Walker, Lauderdale, Morgan, Escambia, Lowndes, Blount, Limestone, and Geneva, and Greene, and Hale.

Lost—yeas 11; nays 12.

Yeas:

Messrs. President, Brewer, Cunningham, Grant, Hogue, Matthews, Moody, Smith, Sowell, Thomason, Walker—11.

Nays:

Messrs. Bethune, Boykin, Brooks, Deans of Shelby, Deens of Covington, Hall, Hawkins, Hollis, Lee, McElderry, Nolen, Sayre—12.

The bill,

H. 1040. To authorize, ratify and confirm the schedule of licenses for the city of Birmingham, and the ordi-

nances of the board of mayor and aldermen of said city adopting and establishing the same,

Was read a third time and passed—yeas 17, nays 0.

Yeas:

Messrs. President, Bethune, Brewer, Cunningham, Deens of Covington, Grant, Hawkins, Hogue, Hollis, Matthews, McElderry, Nolen, Sayre, Smith, Sowell, Thomason, Walker—17.

The bill,

H. 464. To prohibit the sale, giving away, delivering or otherwise disposing of any spirituous, vinous or malt liquors or intoxicating bitters, beverages or drinks within the limits of Chilton county, Alabama,

Was read a third time and passed—yeas 17, nays 1.

Yeas:

Messrs. President, Bethune, Brewer, Cunningham, Deans of Shelby, Deens of Covington, Grant, Hawkins, Hogue, Hollis, Matthews, Moody, Nolen, Sayre, Smith, Thomason, Walker—17.

Nays:

Mr. Brooks voted nay—1.

The bill,

H. 747. For the improvement of the public roads in Macon county,

Was read a third time and passed—yeas 18, nays 0.

Yeas:

Messrs. President, Bethune, Boykin, Brewer, Brooks, Cunningham, Deens of Covington, Grant, Hawkins, Hogue, Hollis, Matthews, Moody, Nolen, Sayre, Smith, Thomason, Walker—18.

The bill,

H. 403. For the relief of Ed J. Hall and J. J. Odam, and to refund to them the sum of two hundred and forty dollars, a part of the amount paid by them license to retail liquor, which license was afterwards revoked,

Was taken up.

The amendment reported by the committee was adopted.

The bill, as amended, was read a third time and passed—yeas 17, nays 0.

Yeas:

Messrs. President, Bethune, Boykin, Brewer, Cun-

ningham, Deans of Shelby, Deens of Covington, Grant, Hall, Hawkins, Hogue, Lee, Matthews, Nolen, Sayre, Smith, Walker—17.

The bill,

H. 931. To provide for the better enforcement of an act to prevent deception in the manufacture and sale of imitation butter, approved February 18th, 1895,

Was read a third time and passed—yeas 18, nays 0.

Yeas:

Messrs. President, Bethune, Boykin, Brewer, Brooks, Cunningham, Deans of Shelby, Deens of Covington, Grant, Hawkins, Hogue, Lee, Matthews, Moody, Sayre, Smith, Sowell, Thomason—18.

The bill,

H. 1079. To authorize and empower the board of county commissioners of Tuskaloosa county to pay certain outstanding witness certificates,

Was read a third time and passed—yeas 20, nays 0.

Yeas:

Messrs. President, Bethune, Boykin, Brewer, Brooks, Brown, Cunningham, Deans of Shelby, Deens of Covington, Grant, Hall, Hawkins, Hogue, Lee, McElderry, Moody, Sayre, Smith, Sowell, Thomason--20.

MESSAGE FROM THE HOUSE.

Mr. President:

The house has concurred in the senate amendment to

H. 745. For the relief of John C. Vines, and to authorize the governor to relinquish to the United States the S. E. ¼ of S. W. ¼ of section 7, township 17, S., R. 6, W., Jefferson county, Alabama;

H. 757. To incorporate the town of Wilsonville, in the county of Shelby;

H. 653. To provide for the security and protection of the public bridges, public mills and mill dams in the county of Dale, in the State of Alabama;

H. 405. To incorporate the town of West Blocton, Alabama;

H. 1076. To provide for the payment of the costs in in the case of the State v. Steve alias Stephen Camp,

lately convicted of arson by the city court of Talladega, and who died before sentence was passed.

And has originated and passed and ordered to the senate without engrossment

H. 891. To incorporate the Mercy Home of Birmingham, Alabama, and to prescribe its corporate rights and privileges;

H. 1127. To regulate the qualifications of electors and voters in any general or special election;

H. 867. To adopt a code of laws for the State of Alabama;

H. 472. To prevent any stallion or jackass over two years old or bull or boar over six months from running at large in Cullman county;

H. 1150. To authorize the commissioners court of Jefferson to redistrict the county of Jefferson;

H. 1157. To establish a separate school district in Chambers county in this State;

H. 1069. To establish a separate school district to be known as the Union school district, in Etowah county, Alabama;

H. 1153. To establish a separate school district in Chambers county, in this State.

And has concurred in the senate amendments to

H. 726. To make appropriations for additional compensation for the clerk in the office of secretary of State, and for the clerks in the State auditor's office, and for additional clerical assistance therein.

And has passed and ordered to the senate without engrossment

H. 429. To amend an act to authorize the commissioners courts of Cherokee, Etowah and DeKalb counties to levy a tax for working the public roads of said counties, and to let out said roads by contract, approved February 18th, 1895.

And has amended as therein shown, and, as amended has passed,

S. 295. To regulate the business of insurance in the State of Alabama.

MASSEY WILSON,
Clerk.

HOUSE MESSAGES.

The house bills in the forgoing house message were severally read once and referred to appropriate committees as follows:

H. 891, to corporations;
H. 1127, to privileges and elections;
H. 867, 1150, to judiciary;
H. 472, 429 to local legislation:
H. 1157, 1069, 1153 to education.

The senate concurred in house amendment to senate bill s. 295, the title of which is set out in the foregoing house message:

Yeas 19, nays 0.

Yeas:

Messrs. President, Bethune, Brewer, Brooks, Cunningham, Deans of Shelby, Deens of Covington, Grant, Hawkins, Hogue, Hollis, Lee, Matthews, McElderry, Moody, Nolen, Sayre, Smith, Walker—19.

ADJOURNMENT.

At 11:07 o'clock P. M. on motion of Mr. Hogue the senate adjourned until 10 o'clock to-morrow morning.

FORTY-NINTH DAY.

Tuesday, February 16th, 1897.

The senate met pursuant to adjournment.

Prayer by the Rev. Mr. Robinson of the senate.

Present:

Messrs. President, Abercrombie, Bethune Boykin, Brewer, Brooks, Brown, Buchanan, Case, Cunningham, Day, Deans of Sheby, Deens of Covington, Grant, Hall, Hawkins, Hogue, Hollis, Hundley Kilpatrick, Lee, Matthews, McElderry, Moody, Nolen, Sayre, Robinson, Smith, Sowell, Thomason, Walker—31.

READING OF THE JOURNAL.

On motion of Mr. Boykin, the reading of the journal of yesterday was dispensed with, and it was approved.

REPORT OF SELECT COMMITTEE.

Mr. Bethune from a select committee, submitted the following report:

Mr. President:

We, the committee appointed to investigate the matter of senate bill 489 appearing on the calendar with a favorable report from the judiciary committee without the judiciary committee so ordering same, beg leave to make the following report, upon examination of the register of the secretary of the senate, and also the entries made on the body of the bill by the secretary of the senate and the clerk of the judiciary committee, we find the bill was intended to be referred back to the committee on finance and taxation, but by some error was placed on the calendar with a favorable report, and we exonerated each and every one from endeavoring to introduce on the calendar a bill that does not properly belong on it, and that this instance is only one of the accidents that occur in the transaction of business for which no one is responsible and for which no one is to blame. All of which is respectfully submitted.

W. BREWER,
D. S. BETHUNE,
BEN M. SOWELL,
Committee.

The report was conourred in and the committee discharged.

MESSAGE FROM THE HOUSE.

Mr. President:

The house has concurred in senate amendment to H. 403. For the relief of Ed. J. Hall and J. J. Odom and to refund to them the sum of two hundred and forty

dollars, a part of the amount paid by them for license to retail liquors which license was afterwards revoked.

And has amended by way of a substitute, with title the same, and as amended has passed;

s. 113. To regulate the holding of the circuit court of Marengo county, and to provide for the practice and proceedings therein and has passed;

s. 374. To further regulate the holding of circuit courts in Clay county, Alabama;

s. 250. To repeal an act entitled an act to prohibit the sale, giving away or otherwise disposing of spirituous, vinous, malt liquors, at or within certain localities in this State, approved February 28, 1881, so far as the same relates to the corporate limits of the city of Fruithurst in Cleburne county, on the Southern Railway.

MASSEY WILSON,
Clerk.

HOUSE MESSAGES.

The senate concurred in the house amendment to the senate bill,

s. 113. To regulate the holding of the circuit court of Marengo county, and to provide for the practice and proceedings therein.

Yeas 22, nays 0.

Yeas:

Messrs. President, Abercrombie, Bethune, Brewer, Brooks, Case, Day, Deans of Shelby, Deens of Covington, Grant, Hawkins, Hogue, Hollis, Lee, McElderry, Moody, Nolen, Robinson, Sayre, Smith, Sowell, Thomason, Walker—22.

REPORTS OF COMMITTEES.

Bills were reported from committees and read a second time, as follows:

By Mr. Bethune, from judiciary, favorably—

H. 807. To provide in certain cases for the payment of witnesses who appear before the grand jury of St. Clair county on subpœna or order of any court;

By Mr. Sayre, from judiciary, without recommendation—

H. 798. To declare unlawful and void all arrangements, contracts, agreements, trusts or combinations, made with a view to lessen, or which tend to lessen, free competition in the importation or sale of articles imported into this State, or in the manufacture of articles of domestic growth, or of domestic raw material, to declare unlawful and void all arrangements, contracts, agreements, trusts or combinations between persons or corporations designed, or which tend to advance, reduce or control the price of such product or article to producer or consumer of any such product or article: to provide for forfeiture of the charter and franchise of any corporation, organized under the laws of this State, violating any of the provisions of this act, to prohibit every foreign corporation violating any of the provisions of this act, from doing business in this State, to require the Attorney-General of this State to institute legal proceedings against any such corporations violating the provisions of this act, and to enforce the penalties prescribed; to prescribe penalties for any violations of this act; to authorize any person or corporation, damaged by any such trust, agreement or combination, to sue for the recovery of such damage, and for other purposes;

By Mr. Hogue, from local legislation, favorably—

H. 1177. To amend an act entitled an act for the preservation of game, animals and birds in the county of Greene, approved February 28th, 1889;

Also,

H. 1102. To amend sub-division 15, article 1, section 629 of the code, so far as the same relates to Barbour county;

Also,

H. 429. To amend an act to authorize the commissioners court of Cherokee county to levy a tax for working the public roads by contract, approved February 18th, 1895;

Also,

H. 472. To prevent any stallion or jackass over two years old or bull or boar over six months from running at large in Cullman county;

By Mr. McElderry, from privileges and election, favorably—

H. 1186. To prohibit the sale or other disposition of alcoholic, spirituous, vinous or malt liquors, or intoxicating bitters or beverages, within ten miles of the Alabama Industrial school building at Montevallo, in Shelby county, Alabama;

By Mr. Walker, from corporations, favorably—

H. 891. To incorporate the Mercy Home of Birmingham, Alabama, and to prescribe its corporate rights and privileges;

Also,

H. 1048. To incorporate the Montgomery Real Estate Investment and Security Company;

Also,

H. 1031. To be entitled an act to levy taxes for the use of the State;

Also,

H. 506. An act making the fees of the officers of the court arising from certain criminal cases in Randolph county, a claim and charge against the fine and forfeiture fund of said county, and to provide for their registration and payment;

By Mr. Moody, from temperance, favorably—

H. 338. To regulate the sale of intoxicating liquors in the city of Camphill in Tallapoosa county:

Also,

H. 824. To constitute the city of Luvern in Crenshaw county, a separate free school district for children, and to provide for the management of said free school in said school district;

By Mr. Sayre, from judiciary, favorably—

H. 1011. To allow the clerk of the Bessemer division of the circuit court of Jefferson county ex-officio fees;

Also,

H. 1178. To amend section 1 of an act to amend section 1 of an act to prevent in certain cases the sale, exchange and transportation of cotton in the counties of Montgomery, Bullock, Dallas, Russell, Lowndes, Wilcox, Sumter, Autauga, and in beats one, two, three, four, five, six, seven, eight, nine and twelve of Hale,

and in sections 29, 30, 31 and 32, township 24, range 5, east, in beat 18, and all that part of beat number 18 lying south of the Black Warrior river in township 24, range 4, east, in Tuskaloosa county, and of cotton produced in said counties, approved March 1st, 1881;

By Mr. Abercrombie, from education, favoraby, with amendment—

H. 440. To incorporate the East Gadsden Normal and Industrial Institute;

Also,

H. 1107. To establish a separate school district known as Prospect school district;

Also,

H. 1096. To establish a separate school district to be known as the Union school district in Etowah county, Alabama;

Also,

H. 533. To establish a separate school district to be known as the Prinson school district in Jefferson county;

Also,

H. 1153. To establish a separate school district in Chambers county in this State;

Also,

H. 1157. To establish a separate school district in Chambers county in this State;

By Mr. Cunningham, from penitentiary, favorably, with amendment—

H. 1057. To provide for the payment out of the convict funds for certain items of cost in felony cases, to fix the amount of said items, to prescribe the extent to which such cost will be paid, and the manner of paying them;

By Mr. Hawkins, from agriculture, favorably—

H. 950. To prevent the buying or selling of cotton, meat, wheat or other commodity under contract or agreement for the future delivery thereof within or without this State;

Municipal and county organizations, favorably—

H. 1166. To amend an act entitled an act to establish a new charter for the city of Calera, approved February 21st, 1893;

Also,

H. 507. To provide for a charter for the town of Horse Creek, Walker county, Alabama;

Also,

H. 923. To establish a charter for the town of Banks, Alabama;

Also,

H. 441. To repeal the incorporation of the town of Fayetteville, in Fayette county, incorporated under the general laws of the State;

By Mr. Bethune, from judiciary, favorably—

H. 1150. To authorize the commissioners' court of Jefferson county to redistrict the county of Jefferson

Also,

H. 925. To prohibit circuit clerks, sheriffs and other public officers from purchasing witness certificates in civil cases;

Also,

H. 962. To allow judges to interchange times, terms and places of holding courts;

Also,

H. 402. To prevent overcharges on freight rates by any railroad company or persons operating a railroad in this State, and to provide for a speedy collection of overcharges;

MESSAGE FROM THE HOUSE.

Mr. President:

The speaker of the house having signed the following bills, your signature is requested thereto:

H. 839. To provide for the inspection and sale of illuminating oils in the State of Alabama;

H. 492. For the relief of H. W. Slaughter and the estate of W. H. Slaughter, deceased;

H. 1045. To provide for the filling and emptying the jury box or boxes of Tuscaloosa county, and for the drawing and summoning grand and petit jurors for Tuscaloosa county in certain cases;

H. 166. To provide for the payment into the fine and forfeiture fund of Jefferson county of all solicitors' fees now forming a part of the general fund of said county, after payment of an appropriation of three thousand dol-

lars per annum to be paid to assist the solicitor of Jefferson county in suppressing crime, as provided in an act approved February 18th, 1891;

H. 674. To provide for the payment of grand jury certificates heretofore issued by the foreman of grand jury, when the same have been registered in Madison county;

H. 877. For the relief of W. H. Edwards and Toney Horn, of Choctaw county;

H. 623. To prohibit, within five miles of Brookwood in Tuscaloosa county, the soliciting or taking of orders to be filled elsewhere, of alcoholic, vinous or malt liquors or other intoxicating drinks or beverages or fruits preserved in alcoholic liquors;

H. 1201. To incorporate the Montgomery, Elmore Bridge and Improvement Company;

H. 1147. To authorize the mayor and aldermen of the city of Florence, Alabama, to appoint a board of public works for said city and to define the powers and duties of such board;

H. 938. To create a separate school district in the county of Macon, to be known as the Cross Keys High School District;

H. 1097. To amend section 3286 of the Code of 1876, as re-enacted in an act entitled an act to re-enact sections 3286, 3287 and 3288 of the Code of 1876, so far as it relates to Wilcox, Macon, Marengo and Washington counties approved December 10th, 1886, so far as it relates to Macon county;

H. 838. To regulate the mining of coal in Alabama;

H. 1040. To authorize, ratify and confirm the schedule of licenses for the city of Birmingham, and the ordinances of the board of mayor and aldermen of said city adopting and establishing the same;

H. 1079. To authorize and empower the board of county commissioners of Tuskaloosa county, to pay certain outstanding witness certificates;

H. 747. For the improvement of the public roads in Macon county;

H. 390. To amend an act entitled an act to confirm and amend the charter of the Alabama Home Building

and Loan Association, approved February 21st., 1893.

MASSEY WILSON,
Clerk.

REPORT FROM COMMITTEE ON ENROLLED BILLS.

Mr. Matthews from the committee on enrolled bills reported the following bills as correctly enrolled:

s. 99. To amend section 1 of an act approved February 13th, 1891, entitled an act to amend an act entitled an act for relief of needy Confederate soldiers and sailors, residents of Alabama, who from wounds or other causes are now unable to earn a livelihood, and for the widows of such as were killed or died in said war, and have not since re-married, approved February 18th, 1895;

s. 447. To provide for the removal of suits of unlawful detainer, and forcible entry and detainer from the courts of justice of the peace and other officers to the circuit court, and to prescribe rules of practice and evidence in such cases in the circuit court.

s. 342. To amend an act entitled an act to establish a new charter for the city of Huntsville, approved December 9th, 1896;

HOUSE AND SENATE BILLS SIGNED.

The president of the senate, in the presence of the senate, immediately after their titles had been publicly read by the secretary, signed the above senate bills, the titles of which are set forth in the foregoing report from the committee on enrolled bills, and also, the above house bills the titles of which are set forth in the foregoing house messages.

SPECIAL ORDER.

The special order for the morning hour, was taken up, to-wit:

H. 972. To amend the revenue laws of the State of Alabama.

Mr. Brewer offered an amendment to section 7 of the bill,

Which was adopted;

Also, an amendment to section 8 of the bill,

Which was adopted;

Also, two amendments to section 15, which were severally adopted;

Also, a substitute for section 28,

Which was adopted;

Mr. Hundley offered an amendment to be added to the end of section 25 of the bill,

Which, on motion of Mr. Brewer, was laid on the table.

Mr. Brewer offered an amendment to section 31 of the bill,

Which was adopted.

Mr. Abercrombie offered an amendment to section 32, of the bill,

Which was adopted.

Mr. Cunningham offered an amendment to subdivision 12, of section 36 of the bill,

Which was lost.

Mr. Brewer offered an amendment to sub-division 9 of section 36,

Which was adopted.

Mr. Buchanan offered an amendment to sub-division 1, of section 36,

Which was adopted.

Mr. Brewer offered an amendment to sub-division 15, of section 36 of the bill,

Which was adopted.

Mr. Cunningham offered an amendment to subdivision 16, of section 36 of the bill,

Which was adopted.

Mr. Brewer offered amendments to sections 37 and 38 of the bill,

Which were severally adopted.

And, on motion of Mr. Brewer, the further consideration of the bill was postponed until this afternoon at 3:30 o'clock.

SECOND SPECIAL ORDER.

The senate next proceeded to consider the second special order, which was,

The bill,

H. 631. To provide for the calling of a convention to revise and amend the constitution of this state.

Mr. Boykin offered an amendment as follows:

Amend section 12 by inserting in line seven of said section after the word "Alabama" and before the word "so" the following, "and I will not vote for any provisions to incorporate in the constitution a provision to move the capitol from Montgomery to any other place in this State.

Mr. Hundley offered an amendment as follows:

Amend the bill by adding thereto the following sections.

Section 15. Be it further enacted, That in the election to be held under the provisions of this act, it shall be and is hereby made the duty of the probate judges, clerks of the circuit court, and sheriffs in said State, officers charged with the appointment of inspectors of election, to appoint said inspectors representing opposing political parties; and such inspectors shall be appointed as may be suggested by the candidates or chairmen of the committees of said opposing political parties.

Sec. 16. That it shall be the duty of all election inspectors, or other election officers, charged with the duty of appointing clerks of election, markers or assistants, for illiterate voters to appoint said clerks, or markers, or assistants, from opposing political parties; and such clerks, markers, or assistants, shall be appointed as may be suggested by the candidates or chairmen of the committees of said opposing political parties.

Sec. 17. That within thirty days prior to the election to be held as herein provided, the candidates or chairmen of the committees of all political parties having nominees to be voted for at any such election may file with the probate judge in the county wherein such election shall be held a list of persons desired to be appointed as inspectors, clerks, markers, or assistants; from which list the appointment shall be made, as herein provided.

Sec; 18. That any judge of probate, clerk of circuit court, election inspector, sheriff, or other officer charged

by law with the appointment of inspectors, clerks, markers, or assistants, or other election officers, who shall fail, or refuse, or neglect, for any cause whatever, to appoint the said inspectors, clerks, makers, or assistants, as may be suggested by the chairman or candidates of opposing political parties, shall be guilty of a felony; and on conviction thereof shall be sentenced to the penitentiary for not less than one nor more than five years for each offense.

Sec. 19. That in case any candidate, or chairman of committee, of any political party having candidates to be voted for at any election, as here set forth, shall fail to file said list, as herein specified, then in that event only shall the probate judge, clerk of circuit court, sheriff, election inspector, or other officers, use their discretion in making appointments of election officials; provided, however that said appointments shall be made from opposing political parties.

Sec. 20. That after the polls have closed it shall be the duty of the election inspectors and other officers charged with counting the vote to proceed at once to count the ballots; and said counting shall be made at the place where said ballots are cast and at no other.

Mr. McElderry moved to lay the amendment offered by Mr. Boykin on the table.

Lost yeas 13, nays 16.

Yeas:

Messrs. President, Bethune, Brewer, Cunningham, Grant, Hawkins, Lee, Matthews, Moody, Sayre, Smith, Thomason, Walker—13.

Nays:

Messrs. Abercrombie, Boykin, Brooks, Brown, Buchanan, Case, Day, Deans of Shelby, Deens of Covington, Hall, Hogue, Hollis, Hundley, McElderry, Nolen, Robinson—16.

And Mr. Boykin's amendment was adopted.

Pending the consideration of Mr. Hundley's amendment, the hour of one o'clock P. M. arrived.

RECESS.

At 1 o'clock P. M., the senate took a recess until 3:30 o'clock this afternoon.

AFTERNOON SESSION.

The senate reassembled at 3:30 o'clock P. M., and was called to order by the president.

A quorum was present.

On motion of Mr. Boykin, the senate proceeded to consider the

UNFINISHED BUSINESS.

At the hour of recess to-day, which was the bill,

H. 631. To provide for the calling of a convention to revise and amend the constitution of this State.

The question pending has the adoption of the amendment offered by Mr. Hundley.

Mr. Sayre moved to lay ths amendment on the table.

Lost, yeas 13, nays 17.

Yeas:

Messrs. President, Abercrombie, Bethune, Case, Cunningham, Day, Hawkins, Hogue, Lee, Matthews, McElderry, Nolen, Sowell—13.

Nays:

Messrs. Boykin, Brewer, Brooks, Brown, Buchanan, Deans of Shelby, Deens of Covington, Grant, Hall, Hollis, Hundley, Kilpatrick, Moody, Robinson, Sayre, Smith, Thomason—17.

On motion of Mr. Brewer, the bill and the amendments were laid on the table.

Yeas 18, nays 11.

Yeas:

Messrs. Boykin, Brewer, Brown, Buchanan, Case, Day, Deans of Shelby, Deens of Covington, Grant, Hall, Hollis, Matthews, Moody, Nolen, Robinson, Sayre, Smith, Thomason—18.

Nays:

Messrs. President, Abercrombie, Bethune, Cunningham, Hawkins, Hogue, Hundley, Lee, McElderry, Sowell, Walker—11.

REPORT FROM COMMITTEE.

Mr. Walker from the committee on public health, re-

ported favorably the bill,

H. 489. To prevent the sale, giving away or otherwise disposing of cigarettes, cigarette tobacco or cigarette papers or any substitute for any of them in the State of Alabama,

Which was read the second time.

RE-COMMITMENT OF BILL.

On motion of Mr. Pettus, Mr. Sayre presiding, the bill just reported, to-wit, H. 489,

Was recommitted to the judiciary committee.

MESSAGE FROM THE HOUSE.

Mr. President:

The house has passed the following senate bills:

s. 144. To secure more effectually competent and well qualified jurors in the county of Franklin;

s. 229. To regulate the registration of electors in the State of Alabama;

s. 114. To amend and revise an act, entitled an act to incorporate the town of Eunola, in Geneva county, Alabama,

And has amended as therein shown, and as amended has passed,

s. 439. To confer upon persons, firms, and private and municipal corporations, owing, constructing and operating water works in this State for the purpose of supplying water to any city town, municipality or community, or the inhabitants thereof, or for any other public use, the right, power and authority to acquire and take real estate, water rights and easements necessary suitable and proper for such purposes, and prescribing the manner of proceeding in the exercise thereof; Provided, the provisions of this act shall apply to Montgomery county, alone;

And has passed

s. 294. To confirm the incorporation of the Birmingham Medical College, a corporation organized under the general laws of this State, to declare its powers and to

confer upon it additional rights, privileges and powers;

s. 373. To better provide for the refitting and refurnishing of the office and library of the State superintendent of education of Alabama, with suitable cases, fixtures, files, furniture and appliances, for the records of said office;

s. 466. To establish a separate school district to be known as the Roanoke Normal College District in Randolph county;

s. 486. To relieve Alice Phillips, a minor under 18 years of age, of the disabilities of non-age;

s. 337. To fix the time and regulate the holding of the circuit court of Madison county, Alabama;

s. 422. To provide for the collection of local assessments for public improvements of the mayor and aldermen of Birmingham;

s. 290. For the better protection of wood and timber;

s. 462. To submit to the people of the State at the general election to be held on the first Monday in August, 1898, for representatives, for their consideration an amendment to section seven, article eleven, of the constitution, providing a special tax of one-half of one per centum for the city of Birmingham, to be applied to the payment of interest on the bonds of said city, and for a sinking fund to pay off said bonds at the maturity thereof;

s. 325. To prohibit the adulteration of candies and confectioneries, and the sale or other disposition thereof, and the keeping of adulterated candies and confectioneries for sale or other disposition;

And has amended as therein shown, and as amended has passed,

s. 367. To compel the repairing of public roads in Geneva, Covington and Conecuh counties by persons and corporations injuring the same and to establish a penalty for their failure to do so;

And has amended by way of substitute, with the same title, and as amended has passed,

s. 13. To amend section 2933 of the code of Alabama;

And has passed

s. 442. To authorize the board of intendent and councilmen of the town of Abbeville, Henry county, to issue and negotiate bonds of said town, to an amount not exceeding four thousand dollars for the completing and equipping of the Southeast Alabama Agricultural School building now being erected in said town and to provide for the interest and principal on said bonds;

s. 474. To amend section 2367 (2745) of the code of Alabama;

s. 285. To incorporate the Alabama River Barge Line and Railroad Company;

s. 441. To punish any person who pollutes or contaminates water supplied to cities and towns of the State;

s. 426. To incorporate the Commercial Club, of Selma, Alabama;

s. 455. To constitute the town of Albertville a separate school district and to provide for the management of the public schools of said district;

s. 239. To amend sections 14, 15, 20, 24 of an act entitled an act to amend an act entitled an act to incorporate the city of Girard, in Russell county, approved December 8th, 1890; and to amend section 16 of an act entitled an act to incorporate the city of Girard, in Russell county, approved December the 8th, 1890;

s. 405. To establish a separate school district in Geneva county, Alabama, to be known as the Dundee School District;

And has amended as therein shown, and as amended has passed,

s. 242. To allow appeals to the supreme court from decisions in the chancery court of this State granting or refusing;

And has passed

s. 247. To prevent the jumping on and off of trains while in motion and to provide for the punishment thereof;

And the house accedes to the request of the senate for a committee of conference on the disagreement of the two houses on house amendment to

s. 126. To fix the time for holding the circuit court in the first judicial circuit of Alabama, to prescribe the

time for pleading and to regulate the setting of causes for trial therein.

Conferees on part of the house,

Messrs. Long, Glover and Cameron.

MASSEY WILSON,
Clerk.

HOUSE MESSAGES.

The senate concurred in the house amendment to the senate bill 439, the title of which is set out in the foregoing house message.

Yeas 24, nays 0.

Yeas:

Messrs. President, Bethune, Boykin, Brewer, Buchanan, Case, Day, Deans of Shelby, Grant, Hall, Hawkins, Hogue, Hollis, Hundley, Lee, Matthews, McElderry, Nolen, Robinson, Sayre, Smith, Sowell, Thomason, Walker—24.

And also concurred in the house amendment to the senate bill 367, the title of which is also set out in the foregoing house message.

Yeas 25, nays 0.

Yeas:

Messrs. President, Abercrombie, Bethune, Brewer, Buchanan, Case, Cunningham, Day, Deans of Shelby, Deens of Covington, Grant, Hall, Hawkins, Hogue, Hollis, Hundley, Kilpatrick, Lee, Matthews, Robinson, Sayre, Smith, Sowell, Thomason, Walker—25.

And also concurred in the house amendment to the senate bill 242, the title of which is set out in the foregoing house message.

Yeas 18, nays 0.

Yeas:

Messrs. Buchanan, Case, Cunningham, Deans of Shelby, Grant, Hall, Hawkins, Hogue, Hollis, Lee, Matthews, Nolen, Robinson, Sayre, Smith, Sowell, Thomason, Walker—18.

The senate non-concurred in the house amendment to the senate bill,

S. 13. To amend section 2933 of the code of Alabama,

And requested a committee of conference thereon,

And the president announced as the conferees on the part of the house Messrs Smith, Lee and Boykin.

Mr. Sayre, from the judiciary committee, to which was heretofore referred the house amendment to the senate bill,

S. 126. To fix the time for holding the circuit court in the first judicial circuit of Alabama, to prescribe the time of pleading and to regulate the setting of causes, for trial therein.

Reported back to the senate and, on his motion, the senate non-concurred in the house amendment, and requested a committee of conference thereon.

The president announced as the conferees on the part of the senate Messrs. Sayre, Walker and Bethune.

MESSAGE FROM THE HOUSE.

Mr. President:

The speaker of the house having signed the following bills, your signature is requested thereto:

H. 745. For the relief of John C. Vines, and to authorize the governor to relinquish to the United States the S. E. ¼ of S. W. ¼ of section 7, township 17 S., R. 6 W., Jefferson county, Alabama;

H. 404. To better provide for the establishment and working of the public roads in Lauderdale county, Alabama;

H. 767. To repeal an act entitled an act to provide for the appointment of an official stenographer for the circuit and chancery courts in the county of Mobile, and the city court of the city of Mobile, and to define his duties and regulate his compensation, approved February 12th, 1879, and the act amending said act approved January 25th, 1895;

H. 999. To establish, open, improve, work and keep in good condition the public roads in Autauga county, Alabama;

H. 1113. To fix the fees of the circuit clerk in the county of Lamar in criminal cases;

H. 1181. To pay for articles purchased for the use of the senate and house of representatives, and for repair-

ing the senate chamber and hall of the house of representatives, and for repairing and furnishing the rooms of the engrossing and enrolling clerks of the house of representatives;

H. 511. To amend an act entitled an act to create and establish an industrial school for white girls in the State of Alabama;

H. 464. To prohibit the sale, giving away, delivering or otherwise disposing of any spirituous, vinous or malt liquors or intoxicating bitters, beverages or drinks within the limits of Chilton county, Alabama;

H. 726. To make appropriations for additional compensation for the clerk in the office of the secretary of State and for the clerks in the State auditor's office, and for additional clerical assistance therein;

H. 1076. To provide for the payment of the costs in the case of the State v. Steve alias Stephen Camp, lately convicted of arson by the city court of Talladega, and who died before sentence was passed;

H. 653. To provide for the security and protection of the public bridges, public mills and mill dams in the counties of Dale and Geneva, in the State of Alabama;

H. 905. To confirm the incorporation of the Beauvoir Club of Montgomery, Alabama, and to enlarge the powers and capacities of said club;

H. 959. To encourage and protect the raising and growing of fruit in the State of Alabama;

H. 414. To amend an act entitled an act to establish a new charter for the town of Attalla, approved February 28th, 1889;

H. 669. To prohibit the sale, giving away or otherwise disposing of any alcoholic, vinous or malt liquors or other intoxicating drinks or beverages within three (3) miles of Wesley's Chapel in Shoalford beat in Limestone county. Also beats 5, 6, 7, known respectively as Gilbertsboro, Wickam and Pleasant Grove, in West Limestone;

H. 405. To incorporate the town of West Blocton, Alabama, and to provide for an election for the sale of spirituous, vinous or malt liquors therein;

H. 86. To fix the compensation of the members of the

board of revenue and road commissioners for Mobile county;

H. 1030. To prevent stock from running at large in certain portions of Tuscaloosa county;

H. 431. Prohibiting the sale or giving away of any spirituous, vinous or malt liquors within five miles of any school house or church of any denomination in Cherokee county;

H. 757. To incorporate the town of Wilsonville, in the county of Shelby;

H. 929. To authorize the National Building and Loan Association of Montgomery, Alabama, a corporation duly organized and existing under the general laws of the State of Alabama, to issue paid up stock and loan money to its members on said stock.

MASSEY WILSON,
Clerk.

HOUSE BILLS SIGNED.

The president of the senate, in the presence of the senate, immediately after their titles had been publicly read by the secretary, signed the above house bills, the titles of which are set forth in the foregoing house message.

REPORT OF COMMITTEE ON ENROLLED BILLS.

Mr. Matthews, from the committee on enrolled bills, reports the following bills as correctly enrolled:

s. 466. To establish a separate school district to be known as the Roanoke Normal College District, in Randolph county;

s. 229. To regulate the registration of electors in the State of Alabama;

s. 113. To regulate the holding of the circuit court of Marengo county, and to provide for the practice and proceedings therein;

s. 144. To secure more effectively competent and well qualified jurors in the county of Franklin;

s. 294. To confirm the incorporation of the Birmingham Medical College, a corporation organized under the general laws of this State, to declare its powers and to

confer upon it additional rights, privileges and powers;

s. 114. To amend and revise an act entitled an act to incorporate the town of Eunola, in Geneva county, Alabama;

s. 325. To prohibit the adulteration of candies and confectioneries, and the sale or other disposition thereof, and the keeping of adulterated candies and confectioneries for sale or other disposition;

s. 374. To further regulate the holding circuit courts in Clay county, Alabama;

s. 250. To repeal an act entitled an act to prohibit the sale, giving away or otherwise disposing of spiritous, vinous or malt liquors at or within certain localities in this State, approved February 28th, 1881, so far as the same relates to the corporate limits of the city of Fruithurst, in Cleburne county, on the Southern Railway.

SENATE BILLS SIGNED.

The president of the senate, in the presence of the senate, immediately after their titles had been publicly read by the secretary, signed the above senate bills, the titles of which are set out in the foregoing report from the committee on enrolled bills.

SPECIAL ORDER.

The senate next considered the continuing special order, to-wit:

The bill,

H. 972. To amend the revenue laws of the State of Alabama;

Mr. Hawkins offered an amendment to section 11 of the bill, exempting the tax assessor of Barbour county from its provisions;

Adopted.

Mr. Cunningham offered an amendment to section, 39, by adding a proviso thereto,

Which, on motion of Mr. Brewer, was laid on the table.

Mr. Buchanan offered an amendment, which, on motion of Mr. Hundley was laid on the table.

Mr. Brewer offered an amendment to section 10, of the bill,

Which was adopted.

Mr. Brewer, also, moved an amendment, to add section 42 to the bill.

Adopted.

Mr. Hogue moved to reconsider the vote by which an amendment to sub-division 9, of section 36, was adopted this morning.

Lost.

Mr. Bethune moved to reconsider the vote by which the amendment to section 41, of the bill was adopted, by which each Building and Loan Association was required to pay a privilege tax on each $100,000 of stock.

Pending its considertion, on motion of Mr. Brewer, the further consideration of the bill and the motion to reconsider,

Were postponed until Thursday morning immediately after reading the journal.

MESSAGE FROM THE GOVERNOR.

THE STATE OF ALABAMA, EXECUTIVE DEPARTMENT,
OFFICE OF THE GOVERNOR.
MONTGOMERY, ALA., February 16, 1897.

Mr. President:

The governor has approved the following bills which originated in the senate:

Senate Bills Nos. 383, 231, 391, 395, 447, 417, 468, 375, 297, 66, 228, 99, 342 and 458.

Very respectfully,,
JAMES B. SIMPSON,
Recording secretary.

MESSAGE FROM THE HOUSE.

Mr. President:

The house has concurred in the report of conference committee on the disagreement of the two houses to the house amendment to

s. 126. So fix the time for holding the circuit court in the first judicial circuit of Alabama, to prescribe the time for pleading and to regulate the sitting of causes for trial therein,

And has concurred in the report of conference committe on the disagreement of the two houses to the house amendments to

s. 13. To amend section 2933 of the Code of Alabama.

MASSEY WILSON,
Clerk.

REPORT FROM A CONFERENCE COMMITTEE.

Mr. Smith, from a committee on conference, submitted the following report:

Mr. President:

We the committee of conference on disagreement of the two houses on senate bill 13, respectfully report that we recommend that the substitue offered by the house be amended as follows: by striking out the words, "5 days" in third line from the bottom and inserting in lieu thereof the words "twenty-four hours,"

And when so amended we recommend its adoption.

THOS. H. SMITH,
W. J. BOYKIN,
C. L. LEE.
On the part of the senate.
EDWARD M. ROBINSON,
O. KYLE,
W. W. LAVENDER,
On the part of the house.

The report of the committee was concurred in.—yeas 20, nays 0.

Yeas:

Messrs. Abercrombie, Bethune, Boykin, Brewer, Brooks, Buchanan, Case, Cunningham, Day, Deens of Covington, Grant, Hawkins, Hogue, Lee, McElderry, Robinson, Sayre, Smith, Thomason, Walker—20.

CONFERENCE REPORT.

Mr. Sayre for a committee of conference submitted the following report:

Mr. President:

The conference committee to which was referred the disagreement of the two houses on the house amendment to

s. 126. To fix the time for holding the circuit court in the first judicial circuit of Alabama; to prescribe the time for pleading and to regulate the setting of causes for trial therein,

Beg leave to report that they recommend as follows:

First. That the house recede from its amendment.

Second. That the following substitute be adopted:

s. 126. To fix the time for holding the circuit court in the first judicial circuit of Alabama, to prescribe the time for pleading and to regulate the setting of causes for trial therein.

Section 1. *Be it enacted by the general assembly of Alabama*, That the circuit court in the several counties composing the first judicial circuit of Alabama, after the passage of this act, be held at the following times, to-wit: in the county of Clarke on the fourth Monday in March, and the third Monday in September, and may continue two weeks: in the county of Monroe on the second Monday in March, and the second Monday after the third Monday in September, and may continue two weeks: in the county of Choctaw on the fourth Monday after the fourth Monday in March, and the sixth Monday after the third Monday in September and may continue two weeks: in the county of Marengo, at Linden on the second Monday after the fourth Monday in March, and the fourth Monday after the third Monday in September, and may continue two weeks, and at Demopolis on the sixth Monday after the fourth Monday in March, and the eighth Monday after the third Monday in September and may continue two weeks.

Section 2. *Be it further enacted*, That the criminal docket be taken up in each of said counties the second week of each term, except at the Demopolis term in

Marengo county, when civil and criminal cases may be set for trial and tried at any time during the term that the presiding judge may designate.

Section 3. *Be it further enacted*, That the time for filing pleas and demurrers in the civil causes be within the first two days of the first week of court in said first circuit, except at Demopolis term when the same shall be filed within the first day of the first week of court. In criminal cases all pleas in abatement, demurrers, motions to quash indictments, motions to quash venires, and other pleas or motions required to be in writing, must be filed with the clerk no later than six o'clock P. M. of the day next preceding the day on which the cause is set for trial.

Section 4. *Be it further enacted*, That all laws and parts of laws in conflict with this act, be and the same are hereby repealed.

Respectfully submitted,

A. D. SAYRE,
MIMS WALKER,
W. J. BOYKIN,
Conferees on part of Senate.
T. A. LONG,
A. Y. GLOVER,
M. B. CAMERON,
Conferees on part of House.

The report was concurred in.

Yeas 23, nays 0.

Yeas:

Messrs. President, Abercrombie, Boykin, Brewer, Brooks, Buchanan, Case, Cunningham, Deans of Shelby, Deens of Covington, Grant, Hall, Hawkins, Hogue, Hollis, Hundley, Kilpatrick, Lee, Matthews, Sayre, Sowell, Thomason, Walker—23.

RESOLUTIONS.

Mr. Hogue offered a resolution that the senate adjourn at 6 o'clock P. M. and reconvene at 7:30 o'clock this evening, and adjourn at will.

Adopted.

RECESS.

The hour of 6 o'clock having arrived, the senate took a recess until 7:30 o'clock this evening.

NIGHT SESSION.

Senate reassembled at 7:30 o'clock P. M. and was called to order by the president.

On motion of Mr. Hogue it was agreed that the roll of senators be called, and that each senator should be allowed to call up and put on its passage a special or local bill.

MESSAGE FROM THE GOVERNOR.

STATE OF ALABAMA, EXECUTIVE DEPARTMENT,
OFFICE OF THE GOVERNOR,
MONTGOMERY, Feb. 16, 1897.

Mr. President:

The governor has approved the following bills which originated in the senate:

Senate bills, numbered, 478, 374, 294, 229 and 325.

Very respectfully,
JAMES B. SIMPSON,
Recording Secretary.

BILLS ON THIRD READING.

The bill,

H. 1119. To ratify and amend the incorporation of "Steiner Brothers," a corporation organized to do a banking business under the general laws of the State of Alabama, so as to confirm in said corporation all the rights, powers, privileges, given by law to such corporations, and also to confer additional powers upon said corporation,

Was taken up.

The amendment reported by the committee, striking section 5 of the bill,

Was adopted.

The bill was read the third time.

Mr. McElderry moved to lay the bill on the table.

Carried.

Yeas 14, nays 10.

Yeas:

Messrs. President, Abercrombie, Bethune, Boykin, Brooks, Buchanan, Day, Grant, Hawkins, Hogue, Matthews, McElderry, Robinson, Smith,—14.

Nays:

Messrs. Brewer, Case, Cunningham, Deans of Shelby, Deens of Covington, Moody, Nolen, Sayre, Thomason, Walker—10.

The bill,

H. 428. To constitute the town of Jacksonville, Alabama, a separate school district,

Was read a third time and passed—yeas 20, nays 0.

Yeas:

Messrs. Abercrombie, Boykin, Brewer, Buchanan, Case, Cunningham, Day, Deens of Covington, Grant, Hawkins, Hogue, Lee, Matthews, McElderry, Moody, Nolen, Robinson, Sayre, Thomason, Walker—20.

RESOLUTION OF VOTE.

On motion of Mr. Matthews, the vote by which the bill,

H. 1119. To ratify and amend the incorporation of "Steiner Brothers," a corporation organized to do a banking business under the general laws of the State of Alabama, so as to confirm in said corporation all the rights, powers, privileges, given by law to such corporations, and also to confer additional powers upon said corporation,

Was laid on the table.

Was reconsidered and

The bill passed.

Yeas 15, nays 10.

Yeas:

Messrs. Brewer, Case, Cunningham, Day, Deans of

Shelby, Grant, Hall, Hawkins, Hogue, Lee, Matthews, Moody, Sayre, Thomason, Walker—15.

Nays:

Messrs. President, Abercrombie, Bethune, Boykin, Brooks, Deens of Covington, McElderry, Nolen, Robinson, Smith—10.

RESOLUTION.

By leave Mr. Sayre offered a resolution, as follows:

Resolved, That bills of a local or special nature may be called at the session of the senate to-night whether they call for discussion or not; but if the discussion exceeds 10 minutes, the bill so discussed should go over.

Which was immediately considered and adopted.

MESSAGE FROM THE HOUSE.

Mr. President:

The house has passed the following senate bills:

s. 464. To prohibit the selling or giving away of vinous, malt, spirituous, or intoxicating liquors of any kind in beat 17, in Coffee county, Alabama;

And has amended as therein shown, and, as amended, has passed,

s. 306. To establish a separate school district to be known as the Whatley school district of Clarke county, Alabama;

And has amended as therein shown, and, as amended, has passed,

s. 70. To require the judge of probate of DeKalb and St. Clair counties, to keep in his office a blank book or blank tablet of mortgages, and also one of deeds in which to record a description of property and to keep duplicates of such for sale;

And has passed,

s. 473. To incorporate the Alabama Steel and Ship Building Company;

s. 471. To establish a board of revenue in lieu of the court of county commissioners for Cullman county, and to define the powers and duties of said board;

s. 407. To authorize and empower the commissioner's court of Shelby county to borrow money in the name and for the use of the county and to bind the county for the payment of the same not exceeding in amount five thousand dollars;

And has adopted the joint resolution herewith sent:

To appoint a commission to ascertain and report to the next general assembly whether the State of Alabama is justly and equitably indebted to the State University of Alabama in an amount exceeding that now recognized by the State as an endowment fund,

And has passed,

s. 182. To amend sections 12, 15 and 16 of an act approved on the 26th day of January, 1891, entitled an act to establish a charter for the town of Woodlawn, in Jefferson county, Alabama.

MASSEY WILSON,
Clerk.

HOUSE MESSAGES.

The senate concurred in the house amendment to the senate bill 306 the title of which is set out in the above house message:

Yeas 20, nays 0.

Yeas:

Messrs. Bethune, Boykin, Brewer, Case, Cunningham, Day, Deens of Covington, Grant, Hall, Hawkins, Hogue, Hollis, Lee, Matthews, Moody, Nolen, Robinson, Smith, Thomason, Walker—20.

The house joint resolution, to appoint a commission to ascertain and report, to the next general assembly whether the State of Alabama is justly and equitably indebted to the University of Alabama in an amount exceeding that now recognized by the State as an endowment fund,

Was referred to the committee on rules.

And the senate nonconcurred in the house amendment to the senate bill 70, the title of which is set out in the above house message, and requested a committee of conference therein.

The president announced as the conferees on the part of the senate,

Messrs. Case, Boykin and Hogue.

REPORT OF COMMITTEE ON ENROLLED BILLS.

Mr. Matthews from the committee on enrolled bills report the following bills correctly enrolled:

s. 337. To fix the time and regulate the holding of the circuit court of Madison county, Alabama;

s. 479. To provide for the publication and distribution of the code of Alabama.

SENATE BILLS SIGNED.

The president of the senate, in the presence of the senate, immediately after their titles had been publicly read by the secretary, signed the above senate bills, the titles of which are set out in the foregoing report of the committee on enrolled bills:

The senate resumed consideration of

BILLS ON THIRD READING.

The bill.

H. 890. To establish Ashford School District,

Was read a third time and passed—yeas 26, nays 0.

Yeas:

Messrs. President, Abercrombie, Bethune, Boykin, Brewer, Brooks, Brown, Buchanan, Case, Cunningham, Day, Deans of Shelby, Deens of Covington, Grant, Hall, Hawkins, Hogue, Lee, Matthews, McElderry, Nolan, Robinson, Sayre, Smith, Thomason, Walker—26.

The bill,

H. 438. To amend an act approved February 14th, 1891, entitled an act to fix the times and places of holding the circuit courts in the various counties composing the ninth judicial circuit of the State of Alabama,

Was read a third time and passed.—yeas 25, nays 0.

Yeas:

Messrs. President, Abercrombie, Bethune, Boykin, Brewer, Brooks, Buchanan, Case, Cunningham, Day,

Deans of Shelby, Deens of Covington, Hall, Hawkins, Hogue, Hollis, Lee, McElderry, Moody, Nolen, Robinson, Sayre, Smith, Thomason, Walker—25.

The bill,

H. 1034. To incorporate the Eutaw Presbyterian church,

Was read a third time and passed.—yeas 24, nay 0.

Yeas:

Messrs. President, Abercrombie, Bethune, Boykin, Brewer, Brooks, Brown, Buchanan, Case, Cunningham, Day, Deans of Shelby, Deens of Covington, Grant, Hawkins, Lee, Matthews, McElderry, Nolen, Robinson, Sayre, Smith, Thomason, Walker—24.

The bill,

H. 894. For the relief of W. H. Roney, clerk of the circuit court of Macon county,

Was taken up.

Mr. Brewer, offered amendment making the money payable out of the convict fund,

Which was adopted.

The bill, as amended was read a third time and passed. —yeas 21, nays 0.

Yeas:

Messrs. President, Abercrumbie, Bethune, Boykin, Brewer, Brown, Buchanan, Case, Cunningham, Day, Deans of Shelby, Deens of Covington, Grant, Hall, Hawkins, Hogue, Hollis, Lee, Mathews, Nolen, Smith, —21.

The bill,

H. 571. To establish a separate school district to be as the Heath district in Coffee county Alabama,

Was read a third time and passed.—yeas 20,nays 0.

Yeas:

Messrs. President Abercrombie, Bethune, Brewer, Buchanan, Case, Cunningham, Day, Deans of Shelby, Deens of Covington, Grant, Hall, Hogue, Lee, Matthews, Moody, Nolen, Robinson, Smith, Thomason—20.

The bill,

H. 1151. To authorize the board of mayor and aldermen of Birmingham to license, regulate, restrain or prohibit the erection of fruits and confectionary stands on or above the sidewalks of said city,

Was read a third time and passed.—yeas 22, nays 0.

Yeas:

Messrs. President, Abercrombie, Bethune, Brewer, Brooks, Buchanan, Case, Cunningham, Day, Deens of Covington, Grant, Hall, Hawkins, Hogue, Lee, Matthews, McElderry, Nolen, Robinson, Smith, Thomason, Walker—22.

The bill,

H. 638½ To amend ratify and confirm the charter of Brookside in Jefferson county,

Was read a third time and passed.—yeas 18, nays 0.

Yeas:

Messrs. President, Abercrombie, Bethune, Brooks, Brown, Buchanan, Case, Cunningham, Day, Deens of Covington, Hall, Hawkins, Hogue, Lee, Nolen, Smith, Thomason, Walker—18.

The bill,

H. 1176. To authorize the holding of an election in beat number (10) of Shelby county, to determine whether or not stock shall run at large in said beat,

Was read a third time and passed—yeas 21, nays 0.

Yeas:

Messrs. President, Brewer, Brooks, Brown, Buchanan, Cunningham, Day, Deans of Shelby, Deens of Covington, Grant, Hall, Hawkins, Hogue, Lee, Matthews, McElderry, Nolen, Robinson, Smith, Thomason, Walker—21.

MESSAGE FROM THE HOUSE.

Mr. President:

The house has amended as therein shown, and as amend has passed,

s. 183. To extend the corporate limits of Woodlawn, extend the police jurisdiction of the corporate authorities of said town, and to further define the duties of the mayor and aldermen of said town as to the school fund,

And has passed,

s. 484. To amend section 3 of an act entitled an act, to change the name of the town of Pratt Mines in Jefferson county, and to establish a new charter therefor;

s. 433. To relieve Martha Leslie Davis from the disabilities of non-age;

s. 434. To relieve Gertrude Davis, of Limestone county, from the disabilitles of non-age,

And has amended as therein shown, and as amended has passed,

s. 387. To incorporate Peaceburg Camp Ground in Calhoun county and Texas Camp Ground in Macon county and to authorize and empower the trustees, cabin holders and tent holders to pass and enforce rules and regulations to maintain and preserve good order within one mile respectively of said camp grounds and to control its management,

And has amended as therein shown, and as amended has passed,

s. 394. To regulate trials in civil causes in courts of justice of the peace and notaries public who are ex-officio justices of the peace in Fayette county,

And has passed,

s. 301. To amend sections 2 and 20 of an act entitled an act to establish a new charter for the town of Edwardsville, in Cleburne county," approved December 9th, 1896;

s. 363. To create a separate school district in the counties of Chambers and Tallapoosa to be known as Mountain Springs School District, and to define the boundaries thereof,

And has concurred in senate amendment to

H. 1119. To ratify and amend the incorporation of "Steiner Brothers" a corporation organized to do a banking business under the general laws of the State of Alabama, so as to confirm in said incorporation all the rights, powers and privileges, given by law to such corporations, and also to confer additional powers upon said corporation,

And accedes to the request of the senate for a committee of conference on

s. 70. To require the judge of probate of DeKalb and St. Clair counties to keep in his office a blank book or blank tablet of mortgages and also one of deeds in which to record a description of property and to keep duplicates of such for sale,

And has passed,

s. 438. To confer additional powers on the trustees of the Alabama Central Female College located at Tuscaloosa, Alabama;

s. 400 To amend section 4 of an act entitled an act to amend an act entitled an act to establish the city court of Birmingham, approved December 9th, 1884;

s. 420. To prescribe the manner of filling vacancies in the office of mayor or aldermen of the city of Birmingham;

s. 413. To amend sections one and six of an act entitled an act to incorporate the town of Fort Deposit, in the county of Lowndes, approved February 13, 1891,

And has amended as therein shown, and as amended has passed,

s. 341. To ratify and confirm the charter of the Banking Building and Loan Company, of Montgomery, Alabama, a corporation duly organized and existing under the general laws of the State of Alabama, and to authorize it to issue paid up stock and loan money to their members;

s. 419. To authorize, ratify and confirm the schedule of licenses for the city of Birmingham for the year 1897 and the ordinances of the board of mayor or aldermen of said city adopting and establishing the same;

s. 436. To amend an act entitled an act to regulate the trial of misdemeanors in Shelby county, approved December 9th, 1896;

s. 382. To create a separate school district in Cleburne county to be known as "Oak Level School District."

And, also, concurred, in the house amendment to the senate bill 341, the title of which is set out in the above house message.

Yeas 22, nays 0.

Yeas:

Messrs. President, Bethune, Brewer, Brooks, Brown, Buchanan, Case, Cunningam, Day Deens of Covington, Grant, Hall Hawkins, Hogue, Lee, Matthews, Nolen, Robinson, Sayre, Smith, Thomason, Walker—22.

MASSEY WILSON,
Clerk.

REPORT FROM COMMITTEE ON RULES.

The president of the senate, Mr. Sayre presiding, reported a special rule as follows:

Resolved, that on Thursday the senate meet at 9 o'clock A. M. and adjourn and convene at pleasure.

Report concurred in and the rule adopted.

RESOLUTION.

By leave, Mr. Lee offered a resolution, as follows:

Resolved, that house bill 632 be made a special order for Thursday morning at 9:30 o'clock.

Which was referred to committee on rules.

HOUSE MESSAGES.

The senate concurred in the house amendment to the senate bill 183, the title of which is set out in the above house message.

Yeas 20, nays 0.

Yeas:

Messrs. President, Bethune, Boykin, Brooks, Brown, Buchanan, Cunningham, Day, Deans of Shelby, Deens of Covington, Grant, Hawkins, Hogue, Lee, Matthews, Robinson, Rogers, Smith, Thomason, Walker—20.

And, also, concurred in the house amendment to the senate bill 387, the title of which is set out in the above house message.

Yeas 19, nays 0.

Yeas:

Messrs. Abercrombie, Boykin, Brewer, Brooks, Buchanan, Cunningham, Deans of Shelby, Deens of Covington, Grant, Hall, Hawkins, Hogue, Lee, Matthews, Nolen, Robinson, Smith, Thomason, Walker—19.

And, also, concurred in the house amendment to the senate bill 394, the title of which is set out in the above house message.

Yeas 21, nays 0.

Yeas:

Messrs. President, Abercrombie, Brooks, Brown, Buch-

anan, Case, Cunningham, Day, Deans of Shelby, Deens of Covington, Grant, Hall, Hawkins, Hogue, Lee, Matthews, Nolen, Robinson, Smith, Thomason, Walker—21.

REPORT FROM COMMITTEE ON ENROLLED BILLS.

Mr. Matthews, from the committee on enrolled bills, reported the following bill as correctly enrolled:

s. 462. To submit to the people of the State at the general election to be held on the first Monday in August, 1898, for representatives, for their consideration an amendment to section seven, article eleven, of the constitution providing a special tax of one-half of one per centum for the city of Birmingham, to be applied to the payment of interest on the bonds of said city, and for a sinking fund to pay off said bonds at the maturity thereof.

SENATE BILLS SIGNED.

The president of the senate, in the presence of the senate, immediately after its title was publicly read by the secretary, signed the senate bill 462, the title of which is set out in the foregoing report of the committee on enrolled bills.

The senate resumed consideration of

BILLS ON THIRD READING.

The bill,

H. 432. To incorporate the Cherokee Normal Institute in Cherokee county, Alabama,

Was taken up.

The amendment reported by the committee was adopted,

The bill, as amended,

Was read a third time and passed—yeas 21, nays 0.

Yeas:

Messrs. President, Bethune, Boykin, Brooks, Brown, Buchanan, Case, Cunningham, Day, Deans of Shelby, Deens of Covington, Grant, Hall, Hawkins, Hogue, Lee,

Matthews, Nolen, Smith, Thomason, Walker—21.

The bill,

H. 1114. To regulate the volunteer military forces of the State of Alabama,

Was read a third time and passed—yeas 20, nays 0.

Yeas:

Messrs. Bethune, Boykin, Brewer, Buchanan, Case, Cunningham, Deens of Shelby, Grant, Hall, Hawkins, Hollis, Lee, Matthews, Moody, Nolen, Robinson, Sayre, Smith, Thomason, Walker—20.

The bill,

H. 1077. To prevent stock from running at large in beat No. 8 in Tallapoosa county,

Was read a third time and passed—yeas 20, nays 0.

Yeas:

Messrs. President, Abercrombie, Bethune, Brooks, Brown, Buchanan, Day, Deens of Covington, Grant, Hall, Hawkins, Hogue, Lee, Matthews, Moody, Nolen, Robinson, Smith, Thomason, Walker—20.

The bill,

H. 1144. To exclude and take from the George N. Gilmer school district of Lowndes county sections 15, 16, 17 and 18 of township 12, range 13,

Was read a third time and passed—yeas 21, nays 0.

Yeas:

Messrs. President, Abercrombie, Bethune, Boykin, Brewer, Buchanan, Day, Deans of Shelby, Deens of Covington, Grant, Hawkins, Hogue, Lee, Matthews, Moody, Nolen, Robinson, Sayre, Smith, Thomason, Walker—21.

The bill,

H. 1172. For the improvement of roads and bridges in Marshall county, Alabama,

Was read a third time and passed—yeas 21, nays 0.

Yeas:

Messrs. Abercrombie, Bethune, Boykin, Brown, Buchanan, Cunningham, Day, Deans of Shelby, Deens of Covington, Grant, Hawkins, Hogue, Lee, Matthews, McElderry, Nolen, Robinson, Sayre, Smith, Thomason, Walker—21.

The bill,

H. 979. For the preservation of game and birds in Barbour county,

Was read a third time and passed—yeas 20, nays 0.

Yeas:

Messrs. Abercrombie, Bethune, Boykin, Brown, Buchanan, Case, Cunningham, Day, Deans of Shelby, Deens of Covington, Grant, Hawkins, Hogue, Matthews, Moody, Nolen, Robinson, Smith, Thomason, Walker—20.

The bill,

H. 1156. To provide for the better working of the public roads in beats one, nine, ten and eleven, Bibb county,

Was read a third time and passed—yeas 20, nays 0.

Yeas:

Messrs. Bethune, Boykin, Brown, Buchanan, Case, Cunningham, Day, Deans of Shelby, Deens of Covington, Grant, Hawkins, Hogue, Lee, Matthews, Moody, Nolen, Robinson, Sayre, Smith, Walker—20.

The bill,

H. 461. To amend sections one and two of an act entitled an act to amend sections one, two and eleven of an act entitled an act to regulate the practice of pharmacy and the sale of poisons in towns and cities of more than one thousand inhabitants in the State of Alabama, approved February 25th, 1889, and to amend sections four, six, eight and nine of, and to add section sixteen to an act entitled an act to regulate the practice of pharmacy, and the sale of poisons in cities and towns of more than one thousand inhabitants in the State of Alabama, approved February 25th, 1887,

Was taken up.

The amendment striking out section 16 of the bill, as reported by the committee,

Was adopted.

The bill, as amended, was read a third time and passed—yeas 14, nays 5.

Yeas:

Messrs. President, Bethune, Cunningham, Day, Deens of Covington, Hall, Hawkins, Hogue, Lee, Matthews, Moody, Sayre, Smith, Thomason, Walker—14.

Nays:

Messrs. Brewer, Case, Deans of Shelby, Nolen, Robinson—5.

The bill,

H. 880. To incorporate the Mussell Shoals Power Co,

Was read a third time and passed—yeas 21, nays 0.

Yeas:

Messrs. President, Bethune, Brewer, Brown, Buchanan, Case, Cunningham, Day, Deans of Shelby, Deens of Covington, Hawkins, Hogue, Lee, Matthews, Nolen, Robinson, Sayre, Smith, Sowell, Thomason, Walker—21.

The bill,

H. 915. To require the commissioners court of Jefferson county, Alabama, to keep a book of records of roads and to keep an entry of road matters therein,

Was read a third time and passed—yeas 19, nays 0.

Yeas:

Messrs. President, Abercrombie, Bethune, Brewer, Brown, Buchanan, Case, Cunningham, Day, Deens of Covington, Hawkins, Hogue, Matthews, McElderry, Moody, Sayre, Smith, Sowell, Walker—19.

The bill,

H. 1224. To authorize the commissioners court of Morgan county to employ a court stenographer for the circuit court for said county, fix the compensation of said stenographer and to prescribe his duties,

Was read a third time and passed—yeas 17, nays 0.

Yeas:

Messrs. President, Abercrombie, Bethune, Brown, Buchanan, Case, Deans of Shelby, Deens of Covington, Hawkins, Hogue Lee, Matthews, McElderry, Moody, Sayre, Smith, Sowell—17.

The bill,

H. 214. To amend section 4 of the act entitled an act to regulate the mode of selecting, drawing and empanelling grand and petit jurors for Mobile county, approved February 20th, 1883,

Was read a third time and passed—yeas 18, nays 0.

Yeas:

Messrs. President, Bethune, Brewer, Buchanan, Case, Deans of Shelby, Deens of Covington, Hawkins, Hogue, Lee, Matthews, Moody, Robinson, Sayre, Smith, Sowell, Thomason, Walker—18.

The bill,

H. 1073. To empower the county commissioners of Limestone county to levy and collect a special tax for the purpose of improving the public roads of said county,

Was read a third time and passed—yeas, 18, nays, 0.

Yeas:

Messrs. President, Abercrombie, Bethune, Brewer, Brown, Buchanan, Deans of Shelby, Deens of Covington, Hogue, Lee, Matthews, McElderry, Moody, Robinson, Sayre, Sowell, Thomason, Walker—18.

The bill,

H. 423. To change the line dividing the eastern stock law district of Wedowee beat, precinct No. six, Randolph county, Alabama, from the western stock law district of said beat, as the same was made by the commissioners' court of said Randolph county, Alabama, and spread upon minutes of said court,

Was read a third time and passed—yeas 18, nays 0.

Yeas:

Messrs. President, Abercrombie, Bethune, Brewer, Brown, Buchanan, Case, Deans of Shelby, Deens of Covington, Hawkins, Hogue, Lee, Matthews, McElderry, Robinson, Sayre, Sowell, Thomason—18.

ADJOURNMENT.

At 11:15 o'clock P. M., on motion of Mr. McElderry, the senate adjourned until Thursday morning at 9 o'clock.

FIFTIETH DAY.

SENATE CHAMBER,

Thursday, February 18, 1897.

Senate met pursuant to adjournment.

Prayer by Rev. Mr. Robinson of the senate.

Present:

Messrs. President, Abercrombie, Bethune, Boykin, Brewer, Brooks, Brown, Buchanan, Case, Cunningham, Day, Deans of Shelby, Deens of Covington, Grant, Hall, Hawkins, Hogue, Hollis, Hundley, Kilpatrick, Lee, Matthews, McElderry, Moody, Nolen, Pettus, Robinson, Smith, Sowell, Thomason, Walker—31.

READING OF JOURNAL.

On motion of Mr. Boykin, the reading of the journal was dispensed with.

RESOLUTIONS.

Mr. Brown offered the following resolution:

Resolved, That senators be limited to five minutes in the discussion of any question that may come up for consideration in the senate to-day,

Which was adopted.

Mr. Boykin offered a resolution asking the return to the senate of

H. 1114. To regulate the volunteer military forces of the State of Alabama,

Which was adopted.

MESSAGE FROM THE HOUSE.

Mr. President:

The house has amended, and as amended, has passed,

s. 438. To confer additional powers on the trustees of the Alabama Central Female College, located at Tuskaloosa, Alabama.

MASSEY WILSON,
Clerk.

HOUSE MESSAGES.

The senate concurred in the house amendments to senate bill 438.

s. 438. To confer additional powers on the trustees of the Alabama Central Female College, located at Tuskaloosa Alabama;

Yeas:

Messrs. President, Abercrombie, Bethune, Boykin, Brooks, Buchanan, Case, Cunningham, Day, Deans of Shelby, Grant, Hall, Hollis, Hundley, Kilpatrick, Matthews, McElderry, Moody, Nolen, Robinson, Thomason, Walker—22.

MESSAGE FROM THE HOUSE.

Mr. President:

The house has adopted the resolution herewith sent, requesting the return by the senate to the house of senate bills No. 242 and 341.

MASSEY WILSON,
Clerk.

HOUSE MESSAGES.

The house joint resolution just received, requesting the return to the house of the senate bills 242 and 341, was read and referred to the committee on rules.

REPORT FROM COMMITTEE ON RULES.

Mr. Brewer, from the committee on rules, made the following report:

Mr. President:

Your committee on rules, to whom was referred the resolution of the house requesting the senate to return to that house senate bills 341 and 242, beg leave to report that they find that senate bill 242 has been approved by the governor and senate bill 341 has been signed by the presiding officer of each house, and your committee recommend that the senate accede to the request of the house as to the latter bill.

MESSAGE FROM THE HOUSE.

Mr. President:

The house accedes to the requests of the senate and herewith returns

H. 1114. To regulate the volunteer forces of the State of Alabama.

MASSEY WILSON,
Clerk.

RECONSIDERATION OF VOTE.

On motion of Mr. Boykin, the vote by which house

bill No. 1114, the title to which is set forth in the house message, was ordered to a third reading and passed, was reconsidered.

Mr. Boykin then offered an amendment which was adopted, and the bill, as amended, was read a third time and passed—yeas 23, nays 1.

Yeas:

Messrs. Bethune, Boykin, Brewer, Brooks, Buchanan, Case, Cunningham, Day, Deens of Covington, Grant, Hall, Hawkins, Hogue, Hollis, Hundley, Kilpatrick, Lee, Matthews, McElderry, Moody, Nolen, Sayre, Walker—23.

Nays:

Mr. Robinson voted no—1.

MESSAGE FROM THE GOVERNOR.

STATE OF ALABAMA, EXECUTIVE DEPARTMENT,
OFFICE OF THE GOVERNOR,
MONTGOMERY, Feb. 18th, 1897.

To the Senate:

I return to you herewith, without my approval, senate bill 419, to confirm the schedule of licenses of the city of Birmingham, because I have already approved house bill No. 1040 for the same purpose.

Respectfully,
JOS. F. JOHNSTON,
Governor.

After the reading of the above message the senate proceeded to reconsider the bill,

s. 419. To authorize, ratify and confirm the schedule of licenses for the city of Birmingham for the year 1897, and the ordinance of the board of mayor and aldermen of said city adopting and establishing the same.

The question being, shall the bill pass, notwithstanding the governor's veto. The bill was lost; yeas 0, nays 25.

Nays:

Messrs. President, Boykin, Brewer, Brown, Buchanan, Case, Cunningham, Deans of Shelby, Deens of Coving-

ton, Grant, Hall, Hawkins, Hogue, Hollis, Hundley, Kilpatrick, Lee, Matthews, McElderry, Nolen, Robinson, Sayre, Smith, Thomason, Walker—25.

MESSAGE FROM THE GOVERNOR.

STATE OF ALABAMA,
GOVERNOR'S OFFICE,
February 18th, 1897.

To the Senate:

I respectfully urge the senate to take immediate action on the revenue bill. This is a measure of great importance to the State, and it seems to me should be given attention before local matters are acted on. It will doubtless be amended in the senate, and will then be again considered by the house, and afterwards will have to be enrolled. In view of the urgent necessity that it should not fail to become a law with such changes as in your wisdom you may deem best, I respectfully request you to give it prompt attention.

Respectfully,
JOS. F. JOHNSTON,
Governor.

The senate next proceeded to consider

The bill,

H. 972. To amend the revenue laws of the State of Alabama.

Various amendments were adopted, and

The bill, as amended, was read the third time and passed—yeas 21, nays 3.

Yeas:

Messrs. President, Abercrombie, Bethune, Boykin, Brooks, Brown, Buchanan, Case, Cunningham, Deens of Covington, Hawkins, Hogue, Kilpatrick, Lee, Matthews, McElderry, Moody, Sayre, Smith, Sowell, Thomason—21.

Nays:

Messrs. Deans of Shelby, Hollis and Robinson—3.

EXECUTIVE SESSION.

The president of the senate announced that a communication from the governor required an executive session, whereupon the doors of the senate chamber being closed, the senate went into executive session.

After some time spent therein, the doors of the senate were opened and the secretary of the senate was instructed to notify the governor of the action of the senate in executive session, and to spread the result thereof on the journal.

The senate, in executive session, confirmed the following appointments and nominations sent to the senate for their advice and approval, viz:

For trustees of the Agricultural and Mechanical College for the term ending January 4th, 1903—

James G. Gilchrist, of the second district;

Walter C. Whitaker, of the sixth district;

Tancerd Betts, of the eighth district.

BILLS ON THIRD READING.

The bill,

H. 1190. To authorize the court of county commissioners of Chambers county, Alabama, to issue and sell bonds of said county to an amount not exceeding $25,000.00 for the purpose of building a new court house for said county,

Was read a third time and passed—yeas 18, nays 0.

Yeas:

Messrs. President, Boykin, Brewer, Brown, Buchanan, Case, Cunningham, Day, Deens of Covington, Hall, Hogue, Hollis, Kilpatrick, Matthews, Moody, Smith, Sowell, Thomason—18.

The bill,

H. 1096. To establish a separate school district to be known as the Union school district in Etowah county, Alabama,

Was read a third time and passed—yeas 19, nays 0.

Yeas:

Messrs. President, Brooks, Brown, Buchanan, Case, Cunningham, Deens of Covington, Grant, Hawkins,

Hollis, Hundley, Kilpatrick, Lee, Matthews, Nolen, Robinson, Sayre, Smith, Thomason—19.

The bill,

H. 170. To prohibit the requiring of abstracts in cases of appeal to the supreme court of Alabama, except in certain cases,

Was taken up.

The substitute reported by the committee was adopted.

The bill, as amended, was read a third time and passed—yeas 22, nays 0.

Yeas:

Messrs. President, Abercrombie, Bethune, Boykin, Brown, Case, Cunningham, Deans of Shelby, Deens of Covington, Hawkins, Hogue, Hollis, Kilpatrick, Lee, Matthews, McElderry, Moody, Robinson, Sayre, Smith, Sowell, Thomason—22.

The bill,

H. 1011. To allow the clerk of the Bessemer division of the circuit court of Jefferson county ex-officio fees,

Was read a third time and passed—yeas 20, nays 0.

Yeas:

Messrs. Bethune, Boykin, Brewer, Brown, Buchanan, Case, Cunningham, Deans of Shelby, Deens of Covington, Grant, Hall, Hollis, Kilpatrick, Lee, Moody, Nolen, Sayre, Sowell, Thomason, Walker—20.

The bill,

H. 1090. To incorporate the Home Mutual Fire Insurance Company of Alabama, and to define the rights, powers, franchises and duties,

Was read a third time and passed—yeas 20, nays 0.

Yeas:

Messrs. President, Bethune, Boykin, Brewer, Brown, Buchanan, Case, Deans of Shelby, Deens of Covington, Grant, Hall, Hogue, Hundley, Kilpatrick, Moody, Robinson, Sayre, Smith, Sowell, Thomason, Walker—20.

The bill,

H. 688. For the relief of Peter Weir, J. B. Buntin and R. M. Long, of Pickens county,

Was taken up.

The substitute reported by the committee was adopted.

The bill, as amended, was read a third time and passed—yeas 20, nays 0.

Yeas:

Messrs. President, Bethune, Boykin, Brewer, Buchanan, Case, Cunningham, Deens of Covington, Grant, Hall, Hawkins, Hogue, Hollis, Matthews, McElderry, Moody, Sayre, Smith, Thomason, Walker—20.

SPECIAL ORDER.

The bill,

H. 587. To appropriate one thousand dollars to complete the erection of a monument to the Alabama soldiers who fell in the late war between the States,

Was taken up and considered.

Mr. Sayre demanded the previous question on third reading and the passage of the bill.

It was ordered to be put.

The bill was read a third time and passed—yeas 24, nays 5.

Yeas:

Messrs. President, Bethune, Boykin, Brooks, Brown, Buchanan, Cunningham, Day, Deans of Shelby, Deens of Covington, Grant, Hall, Hawkins, Hollis, Hundley, Kilpatrick, Lee, Matthews, Moody, Nolen, Sayre, Smith, Thomason, Walker—24.

Nays:

Messrs. Brewer, Case, Hogue, Robinson Sowell—5.

BILLS ON THIRD READING.

H. 1048. To incorporate the Montgomery Real Estate Investment and Security Company,

Was read a third time and passed—yeas 22, nays 0.

Yeas:

Messrs. Bethune, Boykin, Brewer, Brooks, Case, Deans of Shelby, Deens of Covington, Grant, Hawkins, Hogue, Hollis, Lee, Matthews, McElderry, Moody, Nolen, Robinson, Sayre, Smith, Sowell, Thomason, Walker—22.

The bill,

H. 533. To establish a separate school district to be known as the Prinson school district in Jefferson county,

Was read a third time and passed—yeas 22, nays 0.

Yeas:

Messrs. Bethune, Boykin, Brewer, Brooks, Buchanan, Case. Cunningham, Deens of Covington, Grant, Hawkins, Hogue, Hollis, Lee, Matthews, McElderry, Moody, Nolen, Robinson, Sayre, Smith, Sowell, Walker—22.

The bill,

H. 632. To make appropriation for the expenses of encampment of the Alabama State troops, for the years 1897 and 1898,

Was taken up.

Mr. Hogue moved to amend by making the appropriation $11,000 for each year,

Adopted.

Mr. Pettus offered an amendment, to strike out Alabama State troops where they occur in body and caption of bill and insert in lieu thereof, Alabama National Guard,

Adopted.

The bill as amended,

It was read a third time and passed—yeas 14, nays 7.

Yeas:

Messrs. President, Abercrombie, Bethune, Boykin, Brown, Case, Cunningham, Grant, Hogue, Kilpatrick, Lee, Smith, Thomason, Walker—14.

Nays:

Messrs. Brooks, Buchanan, Deans of Shelby, Deens of Covington, Hollis, Nolen, Robinson—7.

And on motion, Mr. Pettus, Mr. Boykin presiding, a committee of conference was requested on the senate amendment, to the above bill,

And the president announced as the conferees on the part of the senate: Messrs, Lee, Hogue and Kilpatrick.

The bill,

H. 234. To amend sections 3018, 3019, 3022, 3026 and 3041, of the code of 1886, as amended by an act to amend and re-enact sections 3018, 3022, 3025, 3026, 3027, 3028, and 3041, and to amend section 3048 of the code of Alabama, approved February 18th, 1895 (Acts 1894-95, p. 1228); and to amend section 3038 of the code of Alabama, and to repeal section 3025, as amended and re-

enacted, all pertaining to mechanic's and material-men's liens.

Was taken up.

The amendments reported by the committee were considered.

On motion of Mr. Sayre the bill and amendments were laid on the table.

The bill,

H. 402. To prevent over charges on freight rates by any railroad company or persons operating a railroad in this State, and to provide for a speedy collection of overcharges.

Was taken up.

Mr. Boykin offered an amendment,

Which was adopted.

Mr. Sowell moved to lay the bill and amendment on the table.

Yeas 14, nays 10.

Yeas:

Messrs. President, Abercrombie, Brewer, Case, Cunningham, Deans of Shelby, Grant, Hall, Kilpatrick, Lee, Robinson, Sayre, Smith, Sowell—14.

Nays:

Messrs. Bethune, Boykin, Brown, Buchanan, Hogue, Hollis, Matthews, Moody, Nolen, Walker—10.

The bill,

H. 1099. To incorporate the Land Bank and the Farmer's Mutual Aid Association of America,

Was read a third time and passed—yeas 14, nays 5.

Yeas:

Messrs. Bethune, Brewer, Brooks, Case, Cunningham, Deans of Covington, Hall, Hawkins, Hollis, Lee, Matthews, Sowell, Thomason, Walker—14.

Nays:

Messrs, McElderry, Nolen, Robinson, Sayre, Smith, —5.

The bill,

H. 1204. To amend an act entitled an act to amend an act entitled an act to incorporate the city of Fort Payne, DeKalb county, Alabama, approved February 3rd, 1891, and to fix the duties, fees and salaries of the officers of said city of Fort Payne.

Was taken up.

Mr. Case offered an amendment, which was adopted.

The bill as amended,

Was read a third time and passed—yeas 20, nays 0.

Yeas:

Messrs. President, Bethune, Boykin, Brewer, Brooks, Buchanan, Case, Cunningham, Day, Deens of Covington, Grant,Hogue, Hollis, Lee, Moody, Nolen, Robinson, Sayre, Smith, Walker—20.

The bill,

H. 1057. To provide for the payment out of the convict funds for certain items of cost in felony cases, to fix the amount of said items, to prescribe the extent to which such cost will be paid, and the manner of paying them,

Was taken up,

The amendments reported by the committee were adopted.

Mr. Sayre moved to strike out section 6 of the bill,

Adopted.

The bill as amended,

Was read a third time and passed—yeas 20, nays 1.

Yeas:

Messrs. President, Abercrombie, Brewer, Brown, Buchanan, Case, Cunningham, Day, Deans of Shelby, Deens of Covington, Grant, Hall, Hawkins, Hogue, Hollis, Lee Sayre, Smith, Thomason, Walker—20.

Nays:

Mr. Nolen voted no—1.

The bill

H. 506. An act making the fees of the officers of the court arising from certain criminal cases in Randolph county, a claim and charge against the fine and forfeiture fund of said county, and to provide for their registration and payment,

Was read a third time and passed—yeas 19, nays 0.

Yeas:

Messrs. President, Bethune, Boykin, Brooks, Buchanan, Case, Cunningham, Day, Deans of Shelby, Deens of Covington, Grant, Hawkins, Hogue, Hollis, Matthews, Moody, Nolen, Smith, Walker—19.

The bill,

H. 521. To more effectively protect the people against combinations, conspiracies and agreements between insurers whereby rates of insurance are raised or fixed.

Was taken up.

Mr. Pettus offered an amendment.

Mr. Boykin moved to lay the amendment on the table.

Carried.

Yeas 15, nays 3.

Yeas:

Messrs. Boykin, Brown, Buchanan, Case, Cunningham, Day, Deans of Shelby, Deans of Covington, Hall, Hawkins, Hogue, Matthews, McElderry, Thomason, Walker—15.

Nays:

Messrs. Abercrombie, Bethune, Smith—3.

The bill,

Was read a third time and passed—yeas 17, nays 5.

Yeas:

Messrs. Boykin, Brewer, Brown, Buchanan, Case, Day, Deans of Shelby, Deens of Covington, Grant, Hall, Hawkins, Hogue, Hollis, Hundley, Matthews, Sowell, Walker—17.

Nays:

Messrs. President, Kilpatrick, Lee, Smith, Thomason—5.

The bill,

H. 1078. For the improvement of roads and bridges in Tuscaloosa county,

Was read a third time and passed—yeas 19, nays 0.

Yeas:

Messrs. Abercrombie, Boykin, Brewer, Buchanan, Case, Cunningham, Day, Deans of Shelby, Hall, Hogue, Hollis, Kilpatrick, Lee, Moody, Robinson, Sayre, Smith, Thomason, Walker--19.

The bill,

H. 1010. To protect certain birds in Jefferson county,

Was read a third time and passed—yeas 17, nays 0.

Yeas:

Messrs. President, Bethune, Brewer, Buchanan, Day, Deans of Shelby, Deens of Covington, Grant, Hawkins,

Hogue, Hollis, Lee, McElderry, Moody, Robinson, Sayre, Smith, Thomason.—17.

The bill,

H. 923. So establish a charter for the town of Banks, Alabama,

Was read a third time and passed—yeas 20, nays 0.

Yeas:

Messrs. Bethune, Boykin, Brooks, Buchanan, Cunningham, Deans of Shelby, Deens of Covington, Grant, Hall, Hawkins, Hogue, Hollis, Lee, Matthews, McElderry, Robinson, Sayre, Smith, Thomason, Walker —20.

The bill,

H. 1174. To make additional appropriation to pay the expenses of the general assembly, of Alabama, for the session of 1896-97,

Was read a third time and passed—yeas 20, nays 0.

Yeas:

Messrs. Bethune, Boykin, Brooks, Buchanan, Case, Deens Covington. Grant, Hall, Hawkins, Hogue, Hollis, Kilpatrick, Lee, Matthews, McElderry, Robinson, Sayre, Smith, Thomason, Walker—20.

The bill,

H. 807. To provide in certain cases for the payment of witnesses who appear before the grand jury of St. Clair county on supœna or order of any court,

Was read a third time and passed.—yeas 21, nays 0.

Yeas:

Messrs. President, Bethune, Brown, Buchanan, Case, Day, Deens of Covington, Grant, Hall, Hawkins, Hogue, Hollis, Kilpatrick, Lee, Matthews, McElderry Robinson, Sayre, Smith, Thomason, Walker—21.

The bill,

H. 734. To repeal the charter of the town of Woodville, in Jackson county,

Was read a third time and passed—yeas 21, nays 0.

Yeas:

Messrs. President, Bethune, Boykin, Brooks Brown, Buchanan, Case, Day, Deans of Shelby, Grant, Hall, Hogue, Hollis, Kilpatrick, Lee, Matthews, Moody, Nolen, Smith, Thomason, Walker—21.

The bill,

H. 811. To prohibit the sale, giving away or otherwise disposing of alcoholic, spirituous, vinous or malt liquors, intoxicating bitters, wines or fruits preserved in such intoxicants, within five miles of the court house in the city of Oneonta, Alabama, and to repeal all laws in conflict with the same,

Was read a third time and passed—yeas 22, nays 0.

Yeas:

Messrs. President, Abercrombie, Bethune, Boykin, Buchanan, Case, Day, Deans of Shelby, Grant, Hall, Hawkins, Hogue, Hollis, Kilpatrick, Lee, Matthews, McElderry, Moody, Nolen, Rogers, Smith, Thomason—22.

The bill,

H. 1103. To establish a new charter for the town of Clayton in Barbour county, Alabama,

Was read a third time and passed.—yeas 24, nays 0.

Yeas:

Messrs. President, Abercrombie, Bethune, Boykin, Brown, Buchanan, Case, Day, Deans of Shelby, Grant, Hall, Hawkins, Hogue, Hollis, Kilpatrick, Lee, Matthews, Nolen, Robinson, Sayre, Smith, Sowell, Thomason, Walker—24.

The bill,

H. 1211. To regulate the working and keeping in repair the public roads in Colbert county, and to create the office of public road supervisor for said county and prescribe his duties and powers, and to correct the direction of building a macademized road from Leighton,

Was read a third time and passed—yeas 24, nays 0.

Yeas:

Messrs. President, Abercrombie, Bethune, Boykin, Brooks, Brown, Buchanan, Cunningham, Day, Deans of Shelby, Grant, Hall, Hawkins, Hogue, Lee, Matthews, McElderry, Moody, Nolen, Robinson, Sayre, Sowell, Smith, Thomason, Walker—24.

The bill,

H. 646. To change the name of Barber Memorial Industrial Institute to the Barber Memorial Seminary, and to amend the charter of said corporation,

Was read a third time and passed.—yeas 22 nays 0.

Yeas:

Messrs. President, Abercrombie, Bethune, Boykin, Brewer, Brooks Browder, Buchanan, Case, Day, Deans of Shelby, Grant, Halls Hogue, Hollis, Lee, Matthews, McElderry, Nolen, Robinson, Thomason, Walker—22.

The bill,

H. 1178. To amend section 1 of an act to amend section 1 of an act to prevent in certain cases the sale, exchange and transportation of cotton in the counties of Montgomery, Bullock, Dallas, Russell, Lowndes, Wilcox, Sumter, Autauga, and in beats one, two, three, four, five, six, seven, eight, nine and twelve of Hale, and in sections 29, 30, 31 and 32 township 24, range 5, east, in beat number 18, and all that part of beat number 18 lying south of the Black Warrior river in township 24, range 4, east, in Tuskaloosa county, and of cotton produced in said counties, approved March 1, 1881,

Was read a third time and passed.—yeas 19, nays 0.

Yeas:

Messrs. Abercrombie, Bethune, Boykin, Brooks, Buchanan, Case, Deans of Shelby, Deens of Covington, Grant, Hall, Hollis, Lee, McElderry, Moody, Nolen, Robinson, Smith, Sowell, Walker—19.

The bill,

H. 1107. To establish a separate school district known as Prospect school district,

Was read a third time and passed.—yeas 22, nays 0.

Yeas:

Messrs. Abercrombie, Bethune, Boykin, Brooks, Buchanan, Case, Deens of Covington, Grant, Hawkins, Hollis, Kilpatrick, Lee, Matthews, McElderry, Moody, Nolen, Robinson, Smith, Sowell, Thomason, Walker—22.

The bill,

H. 429. To amend an act to authorize the commissioners court of Cherokee county to levy a tax for working the public roads of said county, and to let out said roads by contract, approved February 18th, 1895,

Was read a third time and passed—yeas 17, nays 0.

Yeas:

Messrs. Bethune, Boykin, Buchanan, Case, Day, Deens of Covington, Grant, Hawkins, Hollis, Lee, McElderry, Moody, Robinson, Sayre, Sowell, Thomason, Walker—17.

The bill,

H. 1150. To authorize the commissioners court of Jefferson county to redistrict the county of Jefferson,

Was read a third time and passed—yeas 20, nays 0.

Yeas:

Messrs. Bethune, Boykin, Brewer, Brooks, Buchanan, Case, Day, Deens of Covington, Grant, Hawkins, Hogue, Hollis, Lee, Matthews, McElderry, Moody, Robinson, Sowell, Thomason, Walker—20.

The bill,

H. 1031. To levy taxes for the use of the State,

Was read a third time and passed.—yeas 22, nays 0.

Yeas:

Messrs. President, Abercrombie, Bethune, Boykin, Brewer Case, Day, Deans of Shelby, Deens of Covington, Grant, Hall, Hawkins, Hogue, Lee, Matthews, McElderry, Moody, Robinson, Smith, Sowell, Thomason, Walker—22.

The bill,

H. 1186. To prohibit the sale or other dispositon of alcoholic, spiritous, vinous or malt liquors or intoxicating bitters or beverages within ten miles of the Alabama Industrial School Building at Montevallo, in Shelby, county, Alabama.

Was read a third time and passed.—yeas 23, nays 0.

Yeas:

Messrs. President, Abercrombie, Bethune, Boykin, Brewer, Brooks, Buchanan, Case, Day, Deans of Shelby, Deens of Covington, Hall, Hawkins, Hogue, Hollis, Lee, Matthews, McElderry, Moody, Robinson, Smith, Thomason, Walker—23.

The bill,

H. 507. To provide for a charter for the town of Horse Creek, Walker county, Alabama,

Was read a third time and passed—yeas 20, nays 0.

Yeas:

Messrs. President, Abercrombie, Bethune, Brewer, Brown, Buchanan, Day, Deans of Shelby, Deens of Covington, Grant, Hall, Hawkins, Hogue, Hollis, Lee, Matthews, McElderry, Sayre, Thomason, Walker—20.

The bill,

H. 754. To relieve Franklin Johnson of Monroe

county, Alabama, a minor seventeen years of age, of the disabilities of non-age,

Was read a third time and passed—yeas 26, nays 0.

Yeas:

Messrs. Abercrombie, Bethune, Boykin, Brewer, Brooks, Buchanan, Cunningham, Day, Deans of Shelby, Grant, Hall, Hawkins, Hogue, Hollis, Hundley, Kilpatrick, Lee, Matthews, McElderry, Moody, Nolen, Robinson, Sayre, Smith, Thomason, Walker—26.

The bill,

H. 1166. To amend an act entitled an act to establish a new charter for the city of Calera, approved February 21st, 1893.

Was taken up.

Mr. Hundley offered an amendment, adding to the provisions of the bill sections two, three, four, five, six and seven.

Adopted.

Mr. Deans of Shelby offered an amendment which was adopted, and the bill as amended,

Was read a third time and passed; yeas 19, nays 4.

Yeas:

Messrs. President, Abercrombie, Boykin, Brewer, Brown, Cunningham, Grant, Hawkins, Hundley, Kilpatrick, Lee, Matthews, McElderry, Moody, Robinson, Sayre, Smith, Sowell, Walker—19.

Nays:

Messrs Deans of Shelby, Day, Deens of Covington, Hall and Hogue—4.

The bill,

H. 782. An act making it unlawful for fire, fire marine and marine insurance companies not organized under the laws of the State of Alabama but legally licensed to transact fire, fire marine and marine insurance therein through regularly commissioned agents to place or cause to be placed insurance against loss by fire on property in this State except through agents located in the State legally authorized to write policies of insurance therein, and prescribing penalties for violation of same, also to prescribe further conditions to be complied with by fire, fire marine and marine insurance companies before receiving licenses to do business in this State,

Was read a third time and passed; yeas 18, nays 0.

Yeas:

Messrs. President, Bethune, Boykin, Brewer, Brown, Buchanan, Cunningham, Day, Hall, Hawkins, Hogue, Kilpatrick, Lee, Matthews, Moody, Robinson, Smith, Thomason—18.

MESSAGE FROM THE HOUSE.

Mr. President:

The house has passed,

s. 248. To prevent persons not employes of or connected with any railroad, from detaching or uncoupling any train, or putting on brakes, or otherwise interfering with same while standing in any depot, crossing or stop, and to provide for the punishment thereof;

s. 450. To amend section three of an act entitled "an act to amend and revise the charter of the town of Oxanna, approved February 18th, 1891;

s. 492. To authorize the board of mayor and aldermen of the town of Woodlawn to issue funding bonds of said town for the purpose of paying the delinquent coupons and interests on its present bonded indebtedness;

And has concurred in the senate amendments to

H. 432. To incorporate the Cherokee Normal Institute in Cherokee county, Alabama;

H. 894. For the relief of W. H. Rany, clerk of the circuit court of Macon county;

H. 461. To amend sections one and two of an act entitled an act to amend sections one, two and eleven of an act entitled an act to regulate the practice of pharmacy and the sale of poisons in towns and cities of more than one thousand inhabitants in the State of Alabama, approved February 25th, 1889; and to amend sections four, six, eight, and nine of, and to add section sixteen to an act entitled an act to regulate the practice of pharmacy and the sale of poisons in cities and towns of more than one thousand inhabitants in the State of Alabama, approved February 28th, 1887;

And has concurred in the report of the conference committee on

s. 70. To require the judge of probate of DeKalb and St. Ciair counties to keep in his office a blank book or blank tablet of mortgages, and also one of deeds in which to record a description of property and to keep duplicates of such for sale;

And has passed,

s. 465. To regulate the number of bailiffs in attendance at each term of the circuit court of Madison county,

And has adopted a joint resolution herewith sent relative to the publication of H. 1029;

And has passed.

s. 309. To authorize Hugh Stewart, his heirs and assigns to establish, maintain and operate a public ferry on the Alabama river within the police jurisdiction of the city of Montgomery.

And has concurred in senate amendment to

H. 1114. To regulate the volunteer military force of the State of Alabama;

And was amended as therein shown, and as amended, has passed,

s. 341. To ratify and confirm the charter of the Banking Building and Loan Company, of Montgomery, Alabama, a corporation duly organized and existing under the general laws of the State of Alabama and to authorize it to issue paid up stock and loan money to their members:

s. 480. To incorporate the Bethel stock law district for the purpose of preventing stock from running at large in said district, situated in Tuscaloosa county, Alabama;

And has concurred in senate amendment to

H. 688. For the relief of Peter Weir, J. B. Bantan and R. W. Long, of Pickens county;

And has concurred in senate amendment to

H. 1166. To amend an act entitled an act to establish a new charter for the city of Calera, approved February 21, 1893;

And has passed.

s. 425. To prevent stock from running at large in Crenshaw county,

s. 440. To confer upon corporations supplying water to cities, towns or villages, the right to buy and acquire

or condemn real estate, the acquisition of which may be necessary to prevent the pollution of their water supply;

s. 487. To amend an act to incorporate the town of Hamilton, in Marion county and the State of Alabama, approved December 5th, 1896,

s. 482. To prevent stock from running at large in sections twenty-eight and thirty-three, township twenty, range ten, in Randolph county,

Has passed

s. 157. To incorporate the board of trustees of the Birmingham district of the North Alabama Conference of the Methodist Episcopal Church South, and to define its object, purpose, powers and authority.

And has concurred in senate amendment to

H. 170. To prohibit the requiring of abstracts in cases of appeal to the supreme court of Alabama, except in certain cases.

And has amended as therein shown, and as amended has passed

s. 469. To relieve Julia C. Wilson's real property of taxation on condition that the same be used for the establishment of a Convalescent Home for poor children in the city of Montgomery.

And has passed

s. 146. To amend sections one and five of an act entitled an act to provide record books and stationery for the office of the probate judge of Blount county, for use in the western division of said county, and to require such judge to keep the books, records and papers so provided for at the court house at Bangor or within one mile thereof and to keep a clerk who shall have authority in the name of the probate judge to do and perform all ministerial acts which are or may be by law required to be performed by such probate judge in said western division, and to provide for holding the probate court at Bangor, approved February 14, 1893;

s. 493. To confer certain powers on the Columbus Water Works Company;

s. 272. To amend section 3634 (3933) of the Code of Alabama, adopted and approved on 28th of February, 1887.

And has non-concurred in senate amendments to

H. 972. To amend the revenue laws of the State of Alabama.

And asks for a committee of conference on the same.

Committee on part of the house, Messrs. Browne of Talladega, Mitchell, Barnes, Merrill and Meador.

MASSEY WILSON,
Clerk.

HOUSE MESSAGE.

The house joint resolution in the foregoing house message relative to the publication of house bill 1029 was referred to the committee on rules.

The senate concurred in house amendments to senate bill No. 341; the title of which is set out in the foregoing house message.

Yeas 18, nays 0.

Yeas:

Messrs. Boykin, Brewer, Brown, Case, Cunningham, Deens of Covington, Grant, Hall, Hogue, Hollis, Lee, Matthews, McElderry, Nolen, Robinson, Sayre, Smith, Thomason—18.

Also in the house amendments to senate bill No. 469, the title to which is set out in the foregoing house message.

Yeas 20, nays 0.

Yeas:

Messrs. Abercrombie, Bethune, Brooks, Brown, Buchanan, Case, Day, Deens of Covington, Hall, Hawkins, Hollis, Kilpatrick, Lee, Mattthews, Nolen, Robinson, Sayre, Smith, Thomason, Walker—20.

And acceded to the request of the house for a committee of conference on the disagreement of the two houses on house bill No. 972.

The president announced as a committee on the part of the senate, Messrs. Brewer, Sayre, Kilpatrick, McElderry, and Hawkins.

MESSAGE FROM THE GOVERNOR.

STATE OF ALABAMA,
EXECUTIVE OFFICE,
MONTGOMERY, Feb., 18th, 1897.

To the Senate:

I return herewith without my approval senate bill No. 113 which provides for holding terms of the circuit court of Marengo county at Demopolis. It is not denied that nearly or quite two-thirds of the white voters of the county have signed petitions against the passage of this bill. It has been said that these petitions have been signed by many under a misapprehension of the provisions of the bill, and whilst this is probably true, it only demonstrates the necessity for having those measures, that involve more or less all the people of any county, to be presented to them for their consideration and judgment before any attempt is made to enact them into law.

The people of the county have had no fair opportunity to express their wishes upon this particular bill, and it seems to me a wiser policy to let them settle their differences as home, and if there be a real necessity for any change their representative two years hence can enact their wishes into law.

There is no complaint that the court is behind with its business, and whilst it will be a convenience to the people near Demopolis, no effort has been made to make this change for more than twenty years, and under all the circumstances it seems to me it would be the wiser course to postpone this bill until the next session of the general assembly and in the meantime let the people of Marengo county determine for themselves what is best for their own county.

Respectfully,

JOS. F. JOHNSTON,
Governor.

After reading the above message the senate proceeded to reconsider

s. 113. To regulate the holding of the circuit court of Marengo county, and to provide for the practice and proceedings therein.

And the question being, shall the bill pass notwithstanding the governor's veto, the bill passed.

Yeas 17, nays 5.

Yeas:

Messrs. President, Bethune, Boykin, Brewer, Buchanan, Cunningham, Day, Deans of Shelby, Hall, Hawkins, Kilpatrick, Moody, Nolen, Sayre, Smith, Thomason, Walker—17.

Nays:

Messrs. Case, Hogue, Hollis, Hundley, Robinson—5.

RESOLUTIONS.

Mr. Brown offered the following resolution:

Resolved, That the thanks of the senate be extended to the State Herald, Montgomery Journal, Advertiser, Atlanta Constitution and Mobile Register, and to their representatives at the capitol, for their correct reports of the proceedings of this body.

Adopted.

REPORT OF COMMITTEE ON CONFERENCE.

Mr. President:

We, the committee of conference appointed to pass on the disagreement of the two houses on senate bill No. 70, beg leave to report that we have had the same under consideration, and recommend the following, viz:

That the house amendment of the gentleman from Jackson, providing that said senate bill shall not go into operation as to the county of DeKalb, until the enpiration of two years from the date of its approval, be receded from and that the county of St. Clair be stricken from the bill. We also recommend that a clerical error be corrected in the third section, after the word "accord-

ance'' by using the word "with."

D. C. CASE.
W. J. BOYKIN.
W. F. HOGUE.
Senate committee.
O. KYLE.
J. B. FRANKLIN.
J. T. STEWART.
House committee.

The foregoing report of the committee of conference was concurred in.

Yeas 22; nays 0.

Yeas:

Messrs. President, Bethune, Boykin, Brewer, Brooks, Case, Cunningham, Deens of Covington, Grant, Hall, Hawkins, Hogue, Hollis, Lee, Matthews, McElderry, Moody, Nolen, Robinson, Sayre, Smith, Thomason—22.

MESSAGE FROM THE HOUSE.

Mr. President:

The house has amended as therein shown and as amended has passed,

S. 210. To prescribe the duties and qualifications of attorneys and counsellors at law and regulate their admission to practice in the courts of the State.

And the house non-concurred in the senate amendment to

H. 632. To make an appropriation for the expenses of encampment of the Alabama State Troops for the years 1897 and 1898.

And requests a committee of conference on same.

Committee on part of house: Messrs. Brandon, Greene and Kyle.

And non-concurs in the senate amendment to

H. 1057. To provide for the payment out of the convict funds for certain items of costs in felony cases, to fix the amount of said items, to prescribe the extent to which such costs will be paid, and the manner of paying them;

And requests a committee of conference on same.

Conferees on part of house: Messrs. Waller of Hale, Hill and Kyle.

MASSEY WILSON,
Clerk.

HOUSE MESSAGES.

The senate concurred in the house amendment to senate bill 210 the title to which is set out in the above house message.

Yeas 20; nays 1.

Yeas:

Messrs. President, Abercrombie, Bethune, Boykin, Brooks, Buchanan, Case, Cunningham, Deans of Shelby, Deens of Covington, Grant, Hawkins, Hollis, Kilpatrick, Lee, Matthews, Robinson, Smith, Sowell, Thomason —20.

Nays:

Mr. Nolen—1.

And accedes to the request of the house for a committee of conference on the disagreement of the two houses on house bill No. 1057 the sitle of which is set out in the foregoing house message.

The president announced as a committee on the part of the senate: Messrs. Sayre, Cunningham and Bethune.

And also acceded to the request of the house for a committee of conference on the disagreement of the two houses on house bill No. 632 the title of which is set out in the foregoing house message.

The president announced as the committee on the part of the senate: Messrs. Lee, Hogue and Kilpatrick.

RECESS.

The senate recessed until 3:30 P. M.

AFTERNOON SESSION.

The senate re-assembled at 3:30 o'clock P. M. and was called to order by the president.

A quorum was present.

MESSAGE FROM THE HOUSE.

Mr. President:

The house has concurred in the report of the conference committee relative to the disagreement of the two houses on

H. 632. To make an appropriation for the expenses of encampment of the Alabama State Troops for the years 1897 and 1898.

And has concurred in the report of the conference committee on the disagreement of the two houses on

H. 1057. To provide for the payment out of the convict funds for certain items of costs in felony cases, to fix the amount of said items to prescribe the extent to which such costs will be paid, and the manner of paying them.

And has concurred in the report of the conference committee on the disagreementt of the two houses on the senate amendments to

H. 972. To amend the revenue laws of the State of Alabama.

MASSEY WILSON,
Clerk.

REPORTS FROM COMMITTEES.

Conference report on H. B. 632 relating to

H. 632. To make appropriation for the expenses of encampment of the Alabama State troops, for the years 1897 and 1898.

Mr. President:

Your committee appointed to pass on disagreement of two houses on H. B. 632 beg leave to report that they have had the same under consideration and they recommend the following, to-wit: That the house concur in the senate amendment reading as follows: "Striking out Alabama State troops where they appear in the body and the caption of the bill and inserting in lieu thereof Alabama National Guard." That the senate recede from its amendment striking out $15,000.00 and inserting

$11,000.00 and striking out $30,000.00 and inserting in lieu thereof $22,000.00. And recommend the following amendment by striking out $15,000 where the same occurs in the bill and inserting in lieu thereof $12,500.00 and striking out $30,000.00 and inserting in lieu thereof $25,000.

Senate committee:

C. S. LEE.
W. F. HOGUE.
J. Y. KILPATRICK.

House committee:

W. W. BRANDON.
D. A. GREENE.
O. KYLE.

REPORTS OF CONFERENCE COMMITTEE.

Mr. President:

Your committee on conference on house bill 1057 recommend that the house concur in senate amendments Nos. 1, 2, 4, 5, 6 and 8.

That the senate recede from senate amendments Nos. 3, 7 and 10.

That senate amendment No. 9 be amended by striking out 50 and inserting 75.

That the bill be amended by striking out section 4.

That section 3 of the bill be amended by striking out the words "of ½" where they occur.

Amend section 2 of the bill by making it read as follows: Be it further enacted, that the whole cost paid in any one case shall not exceed one hundred and fifty dollars.

Signed:

A. D. SAYRE.
R. M. CUNNINGHAM.
D. S. BETHUNE.
Senate conferees.
CHAS. E. WALLER.
O. KYLE.
WM. HILL.
House conferees.

Mr. President:

The joint committee of conference on the disagreement of the two houses on the senate amendments to the house bill No. 972 known as the revenue bill, respectfully report that they have had the same under consideration and have agreed upon the following, to-wit:

The house shall concur in the senate amendments numbered 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 12, 13, 15, 16, 16½, 17, 18, 19, 20, 21, 22, 23, 27 and 28, and the senate shall recede from its amendments numbered 11, 14, 24, 25 and 26.

Senate committee:

W. BREWER.
H. HAWKINS.
A. D. SAYRE.
HUGH L. MCELDERRY.
JNO. Y. KILPATRICK.

House committee:

CECIL BROWNE.
R. B. BARNES.
J. J. MITCHELL.
D. J. MEADOR.
A. H. MERRILL.

The senate concurred in the report of the conference committee on house bill 632, the title of which is set forth in the foregoing report:

Yeas 17, nays 6.

Yeas:

Messrs. President, Abercrombie, Boykin, Case, Grant, Hall, Hawkins, Hogue, Kilpatrick, Lee, Matthews, McElderry, Moody, Sayre, Smith, Thomason, Walker—17.

Nays

Messrs. Brewer, Brooks, Buchanan, Deans of Shelby, Deens of Covington, Hollis—6.

Also, in the report of conference committee on H. 1057, the title of which is set out in the foregoing report:

Yeas 21, nays 0.

Yeas:

Messrs. President, Abercrombie, Bethune, Boykin, Brewer, Brown, Buchanan, Cunningham, Day, Hall, Hawkins, Hollis, Kilpatrick, Matthews, Nolen, Robin-

son, Sayre, Smith, Sowell, Thomason, Walker—21.

Also in the report of conference committee on house bill 972, the title to which is set out in the foregoing house message:

Yeas 24, nays 2.

Yeas:

Messrs. President, Abercrombie, Bethune, Boykin, Brown, Buchanan, Case, Cunningham, Day, Deens of Covington, Grant, Hall, Hawkins, Hogue, Hollis, Lee, Matthews, McElderry, Moody, Sayre, Smith, Sowell, Thomason, Walker—24.

Nays:

Messrs. Deans of Shelby, and Nolen—2.

BILLS ON THIRD READING.

The bill,

H. 891. To incorporate the Mercy Home of Birmingham, Alabama, and to prescribe its corporate rights and privileges,

Was read a third time and passed—yeas 20, nays 0.

Yeas:

Messrs. Abercrombie, Bethune, Boykin, Brewer, Buchanan, Case, Cunningham, Day, Hawkins, Hogue, Hollis, Kilpatrick, Lee, Matthews, Moody, Robinson, Sayre, Smith, Sowell, Thomason—20.

The bill,

H. 824. To constitute the city of Luverne in Crenshaw county, a separate free school district for children, and to provide for the management of said free school in said school district,

Was read a third time and passed—yeas 17, nays 0.

Yeas:

Messrs. Bethune, Brown, Buchanan, Case, Cunningham, Day, Hawkins, Hogue, Kilpatrick, Lee, Matthews, Moody, Robinson, Smith, Sowell, Thomason, Walker—17.

H. 1102. To amend sub-division 15, article 1, section 629 of the code, so far as the same relates to Barbour county,

Was read a third time and passed—yeas 19, nays 0.

Yeas:

Messrs. President, Bethune, Brewer, Brown, Buchanan, Cunningnam, Day, Deans of Shelby, Hall, Hawkins, Hogue, Matthews, Moody, Sayre, Smith, Sowell, Thomason, Walker—19.

The bill,

H. 1153. To establish a separate school district in Chambers county in this State,

Was read a third time and passed—yeas 18, nays 0.

Yeas:

Messrs. President, Abercrombie, Boykin, Brown, Buchanan, Case, Cunningham, Day, Deans of Shelby, Hall, Hawkins, Hollis, Kilpatrick, Matthews, Sayre, Sowell, Thomason, Walker—18.

The bill,

H. 1157. To establish a separate school district in Chambers county in this State,

Was read a third time and passed—yeas 18, nays 0.

Yeas:

Messrs. President, Abercrombie, Bethune, Boykin, Brown, Buchanan, Case, Cunningham, Day, Hall, Hawkins, Hundley, Kilpatrick, Matthews, Moody, Robinson, Smith, Walker—18.

MESSAGE FROM THE HOUSE.

Mr. President:

The speaker having signed the following house bills, your signature is requested to the same:

H. 1010. To protect certain birds in Jefferson county;

H. 734. To repeal the charter of the town of Woodville, in Jackson county;

H. 1150. To authorize the commissioners court of Jefferson county to re-district the county of Jefferson;

H. 923. To establish a charter for the town of Banks, Alabama;

H. 811. To prohibit the sale, giving away or otherwise disposing of alcoholic, spirituous, vinous or malt liquors, intoxicating bitters, wines or fruits preserved in such intoxicants, within five miles of the court house in the city of Oneonta, Alabama, and to repeal all laws in conflict with the same;

H. 638½. An act to amend, ratify and confirm the charter of Brookside in Jefferson county;

H. 1031. To be entitled an act to levy taxes for the use of the State;

H. 1186. To prohibit the sale or other disposition of alcoholic, spirituous, vinous or malt liquors, or intoxicating bitters or beverages, within ten miles of the Alabama Industrial school building at Montevallo, in Shelby county, Alabama;

H. 931. To provide for the better enforcement of an act to prevent deception in the manufacture and sale of imitation butter, approved February 18th, 1895,

H. 507. To provide for a charter for the town of Horse Creek, Walker county, Alabama;

H. 807. To provide in certain cases for the payment of witnesses who appear before the grand jury of St. Clair county on subpœna or order of any court;

H. 894. For the relief of W. H. Roney, clerk of the circuit court of Macon county;

H. 646. To charge the name of the Barber Memorial Industrial Institute to the Barber Memorial Seminary, and to amend the charter of said corporation;

H. 1178. To amend section 1 of an act to prevent in certain cases the sale, exchange and transportation of cotton in the counties of Montgomery, Bullock, Dallas, Russell, Lowndes, Wilcox, Sumter, Autauga, and in beats one, two, three, four, five, six, seven, eight, nine and twelve of Hale, and in sections 29, 30, 31 and 32, township 24, range 5, east, in beat 18, and all that part of beat number 18 lying south of the Black Warrior river in township 24, range 4, east, in Tuskaloosa county, and of cotton produced in said counties, approved March 1st, 1881;

H. 1107. To establish a separate school district known as Prospect school district;

H. 429. To amend an act to authorize the commissioners court of Cherokee county to levy a tax for working the public roads of said county, and to let out said roads by contract, approved February 18th, 1895;

H. 1011. To allow the clerk of the Bessemer division of the circuit court of Jefferson county ex-officio fees;

H. 432. To incorporate the Cherokee Normal Institute in Cherokee county, Alabama;

H. 754. To relieve Franklin Johnson of Monroe county, Alabama, a minor seventeen years of age, of the disabilities of non-age;

H. 1114. To regulate the volunteer military forces of the State of Alabama;

H. 1090. To incorporate the Home Mutual Fire Insurance Company of Alabama, and to define the rights, powers, franchises and duties;

H. 1096. To establish a separate school district to be known as the Browns creek school district in Etowah county, Alabama;

H. 1211. To regulate the working and keeping in repair the public roads in Colbert county, and to create the office of public road supervisor for said county and prescribe his duties and powers, and to correct the direction of building a macadamized road from Leighton;

H. 1166. To amend an act entitled an act to establish a new charter for the city of Calera, approved February 21st, 1893;

H. 170. To prohibit the requiring of abstracts in cases of appeal to the supreme court of Alabama, except in certain cases:

H. 688. For the relief of Peter Weir, J. B. Buntin and R. M. Long of Pickens county;

H. 1048. To incorporate the Montgomery Real Estate Investment and Security Company;

H. 533. To establish a separate school district to be known as the Pinson school district in Jefferson county;

H. 782. An act making it unlawful for Fire, Fire Marine and Marine Insurance Companies not organized under the laws of the State of Alabama; but legally licensed to transact Fire, Fire Marine and Marine Insurance therein and doing business therein through regularly commissioned agents to place or cause to be placed, insurance against loss by fire on property in this State, except through agents located in the State legally authorized to write policies of insurance therein and prescribing penalties for violation of same; also, to prescribe further conditions to be complied with by Fire,

Fire Marine and Marine Insurance Companies before receiving license to do business in this State;

H. 1034. To incorporate the Eutaw Presbyterian church;

H. 403. For the relief of Ed J. Hall and J. J. Odam, and to refund to them the sum of one hundred and ninety-three dollars and fifty cents, a part of the amount paid by them license to retail liquor, which license was afterwards revoked;

H. 438. To amend an act approved February 14th, 1891, entitled an act to fix the times and places of holding the circuit courts in the various counties composing the ninth judicial circuit of the State of Alabama;

H. 636. To regulate the ex-officio fees of the sheriffs of Antauga, Bibb and Pickens counties;

H. 214. To amend section 4 of the act entitled an act to regulate the mode of selecting, drawing and empanelling grand and petit jurors for Mobile county, approved February 20th, 1883;

H. 423. To change the line dividing the eastern stock law district of Wedowee beat, precinct No. six, Randolph county, Alabama, from the western stock law district of said beat as the same was made by the commissioners' court of said Randolph county, Alabama, and spread upon the minutes of said court;

H. 428. To constitute the town of Jacksonville, Alabama, a seprate school district;

H. 1224. To authorize the commissioners court of Morgan county to employ a court stenographer for the circuit court of said county, fix the compensation of said stenographer and to prescribe his duties;

H. 1156. To provide for the better working of the public roads in beats one, nine, ten and eleven, Bibb county;

H. 1151. To authorize the board of mayor and aldermen of Birmingham to license, regulate, restrain or prohibit the erection of fruits and confectionery stands on or above the sidewalks of said city;

H. 890. To establish Ashford school district;

H. 1073. To empower the county commissioners of Limestone county to levy and collect a special tax for the purpose of improving the public roads of said county;

H. 1144. To exclude and take from the George N. Gilmer school district of Lowndes county sections 15, 16, 17 and 18 of township 12, range 13;

H. 1077. To prevent stock from running at large in Beat No. 8 in Tallapoosa county;

H. 571. To establish a separate school district to be known as the Heath district in Coffee county, Alabama

H. 979. For the preservation of game and birds in Barbour county;

H. 717. To authorize Ozark Lodge No. 349 of Free and Accepted Masons, within and belonging to the jurisdiction of the Grand Lodge of Free and Accepted Masons of the State of Alabama, to issue and sell bonds for the payment of its outstanding debts, and to provide for the payment thereof, and the interest thereon;

H. 1172. For the improvement of roads and bridges in Marshall county, Alabama;

H. 880. To incorporate the Mussell Shoals Power Co.;

H. 1176. To authorize the holding of an election in beat number 10 of Shelby county to determine whether or not stock shall run at large in said beat;

H. 915. To require the commissioners court of Jefferson county, Alabama, to keep a book of records of roads, and to keep an entry of road matters therein;

H. 1119. To ratify and amend the incorporation of "Steiner Brothers," a corporation ornanized to do a banking business under the general laws of the State of Alabama, so as to confirm in said corporation all the rights, powers and privileges given by law to such corporations, and also to confer additional powers upon said corporation;

H. 1174. To make additional appropriation to pay the expenses of the general assembly of Alabama for the session of 1896–97;

H. 587. To appropriate one thousand dollars to complete the erection of a monument to the Alabama soldiers who fell in the late war between the States;

H. 506. An act making the fees of the officers of the court arising from certain criminal cases in Randolph county, a claim and charge against the fine and forfeiture fund of said county, and to provide for their registration and payment;

H. 632. To make appropriation for the expenses of encampment of the Alabama National Guards for the years 1897 and 1898;

H. 1099. To incorporate the Land Bank and the Farmer's Mutual Aid Association of America;

H. 1103. To establish a new charter for the town of Clayton, in Barbour county, Alabama;

H. 128. To fix the compensation of not more than two regular bailiffs of the criminal, city and circuit courts of Jefferson county, and to provide for its payment;

H. 461. To amend sections one and two of an act entitled an act to amend sections one, two and eleven of an act entitled an act to regulate the practice of pharmacy and the sale of poisons in towns and cities of more than one thousand inhabitants in the State of Alabama, approved Feb. 25, 1889, and to amend sections four, six, eight and nine of an act entitled an act to regulate the practice of pharmacy and the sale of poisons in cities and towns of more than one thousand inhabitants in the State of Alabama, approved Feb. 28, 1887;

H. 521. To more effectively protect the people against combinations, conspiracies and agreements between insurers whereby rates of insurance are raised or fixed.

H. 972. To amend the revenue laws of the State of Alabama;

J. R. To appoint a commission to ascertain and report to the next general assembly whether the State of Alabama is justly and equitably indebted to the University of Alabama in an amount exceeding that now recognized by the State as an endowment fund;

H. 1157. To establish a separate school district in Chambers county in this State;

H. 1102. To amend Sub-division 15, Article 1, Section 629 of the Code, so far as the same relates to Barbour county;

H. 1153. To establish a separate school district in Chambers county in this State;

H. 824 To constitute the city of Luverne in Crenshaw county, a separate, free school district for children, and to provide for the management of said free school in said school district;

H. 1057. To provide for the payment out of the con-

vict funds for certain items of cost in felony cases, to fix the amount of said items, to prescribe the extent to which such cost will be paid, and the manner of paying them;

H. 891. To incorporate the Mercy Home of Birmingham, Alabama, and to prescribe its corporate rights and privileges;

H. 1078. For the improvement of roads and bridges in Tuscaloosa county.

MASSEY WILSON,
Clerk.

SIGNING BILLS.

The president of the senate, in the presence of the senate, immediately after their titles had been publicly read by the secretary, signed the house bills and joint resolution, whose titles are set forth in the above and foregoing message from the house.

REPORT OF ENROLLED BILLS.

Mr. Matthews, chairman of enrolled bills, reported the following bills correctly enrolled:

s. 146. To amend sections one and five of an act entitled an act to provide record books and stationery for the office of the probate judge of Blount county, for use in the western division of said county, and to require such judge to keep the books, records and papers, so provided for at the court house at Bangor, or within one mile thereof, and to keep a clerk who shall have authority in the name of the probate judge to do and perform all ministerial acts which are, or may be by law required to be performed by such probate judge in said western division, and to provide for the holding of probate courts at Bangor, approved February 14th, 1893;

s. 210. To prescribe the duties and qualifications of attorneys and counsellors at law, and regulate their admission to practice in the courts of this State;

s. 341. To authorize the Banking, Building and Loan Company, of Montgomery, Alabama, to issue paid up stock and loan money to its members on its stock;

s. 469. To relieve Julia C. Wilson's real property of county and municipal taxation on condition that the same be used for the establishment of a convalescent Home for Poor Children, in the city of Montgomery.

s. 482. To prevent stock from running at large in sections twenty-eight and thirty-three, township twenty, range ten, in Rannolph county;

s. 480. To incorporate the Bethel stock law district, for the purpose of preventing stock from running at large in said district, situated in Tuskaloosa county, Alabama;

s. 487. To amend an act to incorporate the town of Hamilton, in Marion county and the State of Alabama, approved December 5th, 1896.

s. 452. To amend section five of an act entitled an act to incorporate the town of Abbeville, in the county of Henry, approved Feb. 8th, 1872;

s. 471. To establish a board of revenue, in lieu of the court of county commissioners for Cullman county, and to define the powers and duties of said board;

s. 321. To provide for the payment of clerks of the circuit courts in certain counties of the State of Alabama, for keeping the minutes of the circuit courts in said State;

s. 402. To amend section two of an act approved February 10th, 1891, incorporating the city of Ashville, in St. Clair county, Alabama;

s. 157. To incorporate the board of trustees of the Birmingham District of the North Alabama Conference of the Methodist Episcopal Church South, and to define its objects, purpose, powers and authority;

s. 70. To require the judge of probate of DeKalb county to keep in his office a printed blank book, or printed blank tablet of mortgages, and also one of deeds, in which to record a description of property; and to keep duplicates of such for sale;

s. 453. To establish a charter for the town of Dundee in Geneva county;

s. 491. To amend section one of an act entitled an act to authorize the court of county commissioners of Randolph county to issue bonds for the purpose of erecting a new court house for said county, at Wedowee,

Alabama, and to levy a tax to liquidate the debt to accrue thereby, approved 1897;

s. 236. To amend section 1 of an act to regulate the trial of certain misdemeanors committed in Bullock county, Alabama, approved February 21st, 1893;

s. 464. To prohibit the selling or giving away or otherwise disposing of spirituous, vinous, malt or intoxicating liquors in beat 17 in Coffee county, Alabama.

s. 484. To amend section 3 of an act entitled an act to change the name of the town of Pratt Mines in Jefferson county, and establish a new charter t erefor;

s. 434. To relieve Gertrude Davis of Limestone county, from the disabilities of non-age;

s. 435. To relieve Martha Leslie Davis from the disabilities of non-age;

s. 407. To authorize and empower the commissioners court of Shelby county, to borrow money in the name and for the use of the county and to bind the county for the payment of the same, not exceeding in amount five thousand dollars;

s. 455. To constitute the town of Albertville a separate school district and to provide for the management of the public schools of said district;

s. 242. To allow appeals to the supreme court from decisions in the chancery court of this State granting or refusing to grant re-hearings of a final decree, and to provide the manner in which evidence may be introduced in support of said application;

s. 439. To confer upon persons, firms, and private and municipal corporations, owing, constructing and operating water works in this State for the purpose of supplying water to any city town, municipality or community, or the inhabitants thereof, or for any other public use, the right, power and authority to acquire and take real estate, water rights and easements necessary suitable and proper for such purposes, and prescribing the manner of proceeding in the exercise thereof; Provided, the provisions of this act shall apply to Montgomery and DeKalb counties, alone;

s. 13. To amend section 2933 of the code of Alabama;

s. 182. To amend section twelve, fifteen and sixteen

of an act approved on the 26th day of January, 1891, entitled an act to establish a charter for the town of Woodlawn, in Jefferson county, Alabama;

s. 183. To extend the police jurisdiction of the corporate authorities of the town of Woodlawn, and to further define the duties of the mayor and aldermen of said town as to the school fund;

s. 285. To incorporate the Alabama River Barge Line and Railroad Company;

s. 301. To amend sections 2 and 20 of an act entitled an act to establish a new charter for the town of Edwardsville, in Cleburne county, approved December 9th, 1896;

s. 306. To establish a separate school district to be known as the Whatley school district of Clarke county, Alabama;

s. 387. To incorporate Peaceburg Camp Ground in Calhoun county, and Texas Camp Ground in Macon county, and to authorize and empower the trustees, cabin owners and tent holders to pass and enforce rules and regulations to maintain and preserve good order within one mile respectfuly of said camp grounds, and to control its management;

s. 394. To regulate trials in civil causes in courts of justice of the peace and notaries public who are ex-officio justice of the peace in Fayette county;

s. 419. To authorize, ratify and confirm the schedule of licenses for the city of Birmingham for the year 1897 and the ordinances of the board of mayor and aldermen of said city adopting and establishing the same;

s. 239. To amend sections 14, 15, 20, 24 of an act entitled an act to amend an act entitled an act to incorporate the city of Girard, in Russell county, approved December 8th, 1890; and to amend section 16 of an act entitled an act to incorporate the city of Girard, in Russell county, approved December the 8th, 1890;

s. 363. To create a separate school district in the counties of Chambers and Tallapoosa to be known as Mountain Springs school district, and to define the boundaries thereof;

s. 405. To establish a separate school district in

Geneva county, Alabama, to be known as the Dundee School District;

s. 413. To amend sections 1 and 6 of an act entitled an act to incorporate the town of Fort Deposit in the county of Lowndes, approved February 13th, 1891;

s. 422. To provide for the collection of local assessments for public improvements of the mayor and aldermen of Birmingham;

s. 441. To punish any person who pollutes or contaminates water supplied to cities and towns of the State;

s. 442. To authorize the board of intendent and councilmen of the town of Abbeville, Henry county, to issue and negotiate bonds of said town, to an amount not exceeding four thousand dollars for the completing and equipping of the Southeast Alabama Agricultural School building now being erected in said town and to provide for the interest and principal on said bonds;

s. 367. To compel the repairing of public roads in Geneva, Covington and Conecuh counties by persons and corporations injuring the same and to establish a penalty for their failure to do so;

s. 247. To prevent the jumping on or off of trains while in motion and to provide for the punishment thereof;

s. 473. To incorporate the Alabama Steel and Ship Building Company;

s. 400. To amend section 4 of an act entitled an act to amend an act entitled an act to establish the city court of Birmingham, approved December 9th, 1884;

s. 290. For the better protection of wood and timber;

s. 126. To fix the time for holding the circuit court in the first judicial circuit of Alabama, to prescribe the time of pleading and to regulate the setting of causes, for trial therein.

s. 486. To relieve Alice Phillips, a minor under 18 years of age, of the disabilities of non-age;

s. 426. To incorporate the Commercial Club, of Selma, Alabama;

s. 420. To prescribe the manner of filling vacancies

in the office of mayor and aldermen of the city of Birmingham;

s. 474. To amend section 2367 (2745) of the code of Alabama;

s. 436. To amend an act entitled an act to regulate the trial of misdemeanors in Shelby county, approved Dec. 9th, 1896.

W. H. MATTHEWS,
Chairman.

SENATE BILLS SIGNED.

The president of the senate, in the presence of the senate, immediately after their titles had been publicly read by the secretary, signed the above senate bills, the titles of which are set out in the foregoing report of the committee on enrolled bills.

RECESS.

And the senate recessed until 7:30 o'clock P. M.

NIGHT SESSION.

The senate reassembled at 7:30 o'clock P, M. and was called to order by the president.

A quorum was present.

REPORT OF ENROLLED BILLS.

Mr. Matthews, chairman of enrolled bills reports the following bills correctly enrolled:

s. 295. To regulate the business of insurance in the State of Alabama;

s. 438. To confer additional powers on the trustees of the Alabama Central Female College located at Tuskaloosa, Alabama;

s. 465. To regulate the number of baliffs in attend-

ance at each term of the circuit court of Madison county;

H. 492. To authorize the board of mayor and aldermen of the town of Woodlawn, to issue funding bonds of said town for the purpose of paying the delinquent coupons and interests on its present bonded indebtedness:

s. 382. To create a separate school district in Cleburne county to be known as Oak Level School District;

s. 450. To amend section, three of an act entitled an act to amend and revise the charter of the town of Oxanna, Approved February 18th, 1891;

s. 248. To prevent persons not employees or connected with any railroad from detaching or uncoupling any train, or putting on brakes, or otherwise interfering with same, while standing in any depot, crossing or stop, and to provide for the punishment thereof;

s. 440. To confer upon corporations supplying water to cities, towns or villages, the right to buy and acquire or condem real estate, the aquisition of which may be necessary to prevent the pollution of their water supply;

s. 425. To prevent stock from running at large in Crenshaw county;

s. 272. To amend section 3634 (3933) of the Code of Alabama adopted and approved on 28th of February, 1887;

s. 493. To confer certain powers on the Columbus Water Works Company;

s. 309. To authorize Hugh Stewart, his heirs and assigns to establish maintain and operate a public ferry on the Alabama river within the police jurisdiction of the city of Montgomery.

W. H. MATTHEWS,
Chairman.

SIGNING BILLS.

The president of the senate, in the presence of the senate, immediately after their titles had been publicly read by the secretary, signed the senate bills, whose titles are set forth in the foregoing report of committee on enrolled bills.

GOVERNOR'S MESSAGE.

STATE OF ALABAMA, EXECUTIVE DEPARTMENT
OFFICE OF THE GOVERNOR,
MONTGOMERY, February 18, 1897.

Mr. President:

The governor has approved the following bills which originated in the senate:

Senate bill number 70, 146, 157, 210, 295, 341, 321, 402, 452, 469, 471, 487, 480 and 482, 248, 272, 309, 382, 440, 450, 492, 493, 425, 438, 13, 126, 182, 183, 239, 247, 285, 290, 301, 306, 363, 367, 387, 394, 400, 405, 407, 413, 426, 420, 433, 434, 436, 439, 441, 442, 455, 484, 473, 474, 486, 337, 462, 479, 466, 250, 114 and 422.

Very respectfully,

JAMES B. SIMPSON,
Recording Secretary.

RESOLUTIONS.

Mr. Kilpatrick offered the following resolution:

Resolved, That the senate desires to testify to the eminent ability and remarked firmness with which Hon. A. D. Sayre and Hon. F. L. Pettus have discharged the duties of president of the senate of Alabama during the present term,

Which was unaimously adopted.

Mr. Boykin offered the following resolution:

Resolved, That the thanks of the senate be extended to Messrs. Jon. F. Proctor and Elmore Garrett, for their efficient and uniform courtesy to the senate during the present session, also, to the clerks who have assisted them,

Which was adopted.

Mr. Robinson offered the following resolution:

Resolved, That the thanks of this senate be tendered to the pages, who have so faithfully discharged their duty during the session of the senate,

Which was adopted.

MESSAGE FROM THE HOUSE.

Mr. President:

The speaker having signed the following house bill your signature is requested:

H. 1190. To authorize the court of county commissioners of Chambers county, Alabama, to issue and sell bonds of said county to an amount not exceeding $25,000 for the purpose of building a new court house for said county.

SIGNING OF BILLS.

The president of the senate, in the presence of the senate, immediately after their titles had been publicly read by the secretary, signed the house bills, whose title is set out in the foregoing house message.

ADJOURNMENT.

At 12 o'clock midnight, the president or the senate after expressing in appropriate terms his thanks for the repeated honors bestowed on him by the senate, during the session, declared that by limitation, the senate stood adjourned *sine die*.

FRANCIS L. PETTUS,
President.

Attest:
JOHN F. PROCTOR,
Secretary of Senate.

REGISTER OF SENATE BILLS,

Showing the action of the Senate on the Senate bills and joint resolutions (in nature of bills), and the days when considered—Session of 1896–7.

By Mr. Brown—

s. 1. To incorporate the town of Joppa in the county of Cullman and State of Alabama.

November 11, read first, referred to municipal and county organizations. November 19, reported favorably, and read second, calendar. November 21, amended adversely, read third, passed, ordered unengrossed. December 8, house passed. December 9, signed and approved.

(with petition)—

s. 2. To establish a separate school district to be known as the Flat Rock district in Winston and Cullman counties.

November 11, read first, referred to education. November 18, reported favorably, read second, calendar. November 19, read third, passed. December 8, house passed. December 9, signed and approved.

(by request)—

s. 3. To regulate the trial of misdemeanors in the county of Marshall.

November 11, read first, referred to judiciary. November 24, reported favorably, substitute read second, calendar. November 25, substitute adverse, and special order Monday November 30, 12 M. November 30,

special order for Wednesday, December 2d, 12 M. December 3d, special order for Thursday, Janury 21, 12 M. January 21, special order 12 M. January 28. February 3, tabled.

s. 4. To legalize the registration of deeds of conveyances which have been filed and recorded in the office of the judge of probate of the proper county in this State, before the passage of this act; but not within the time required by law, and of those which may be so filed and recorded within twelve months from the passage of this act.

November 11, read, referred to judiciary. November 24, reported favorably, read second, calendar. November 25, read third, passed. December 9, house amends, senate considers, reconsiders, concurrence, and non-concurs, asks committee of conference.

s. 5. To prohibit the granting of free passes, or giving free passage or selling tickets or passes at a discount, other than or sold to the public generally, by railroad and other transportation companies, their agents, servants or employees, to any member of the general assembly, or to any person holding office under this State or the United States.

November 11, read first, referred to commerce and common carrier. February 10, read second, calendar. February 12, amended, read third, passed.

s. 6. To exempt ministers of the gospel in active service as pastors of churches or employed as evangelists, from road duty.

November 11, read first, referred to judiciary. November 24, reported favorably, read, second, calendar. November 25th, read third, passed.

By Mr. Abercrombie—

s. 7. To regulate the holding of primary elections for the selection of delegates to political conventions and the nomination of candidates for any office to be filled by election.

November 11, read first, referred to privileges and elections. November 25th, reported favorably with amendment, read second. November 27, special order Wednesday, December 2. December 7, special order January 23, 12 M. January 23, special order January 26, 12 M., continuing. January 30, special order February 1, 3 :30 o'clock.

s. 8. To establish a uniform series of text books for the public schools of the State and to prescribe the mode of selecting the same.

November 11, read one, referred to education. November 24, read without recommendation, read second, calendar. November 25, special order Monday, November 30, 12 M. 100 copies ordered printed. November 30, special order at 12 o'clock M., Monday, December 7. December 8, special order at 12 M., January 25.

By Mr. McElderry—

s. 9. To fix the time of holding the circuit courts in the several counties comprising the seventh judicial circuit.

November 11, read one, referred to judiciary. November 20, reported favorably, read second, calendar. November 21, special order Monday, November 23, after s. 41. November 23, read third, passed.

s. 10. To repeal an act entitled an act, to amend an act to establish a city court for the county of Talladega, approved February 18, 1895, and to provide for the disposition of all cases pending in said court, for the issuance of

process on judgments and decrees in said court, for the issuance of process on indictments in said court, and for the transfer of all dockets, papers and books, relating to cases in said court, to the circuit and chancery court of Talladega county, respectively, and to provide for signing of bills of exceptions, and appeals to the supreme court from judgments and decrees rendered by said court.

November 10, read first, referred to judiciary. November 20, reported favorably, read second, calendar. November 21st, special order 1st Wednesday after recess January 20, read third, passed. January 21, passage reconsidered.

By Mr. Hogue—

s. 11. To incorporate the Grand Lodge of Knights of Pythias of Alabama.

November 11, read first, referred to corporation. November 16, reported favorably, read second. November 17, read third, passed. December 7, senate concurs in house amendment.

By Mr. Case—

s. 12. To fix the compensation for recording, registration and copying in the office of judge of probate of DeKalb county.

November 11, read first, referred to local legislation. November 17, returned, referred to finance and taxation. February 8, reported favorably, read second, calendar. February 10, amended, read third, passed.

By Mr. Smith—

s. 13. To amend section 2933 of the code of Alabama.

November 11, read first, referred to judiciary. November 25, reported favorably, read second. November 27, reconsidered, read third, passed. February 16, sub-

stitute adopted, house passed. February 16, senate non-concurs, house concurs in conference report, senate concurs in conference report. February 18, signed, approved.

By Mr. Brown—

s. 14. To amend sections 340, 341, and 342 of the code of 1886.

November 12, read first, privileges and elections.

By Mr. Hundley—

s. 15. To establish a new charter for the city of Huntsville.

November 12, read first, referred to municipal and county organizations. November 19, reported without recommendation, read second. November 21, special order December 23d, first after journal. November 23, considered, recommended to municipal and county organizations.

y Mr. Robinson—

s. 16. To amend an act entitled an act to dissolve garnishments in cases where the defendant executes bond to platntiff, approved February 12, 1891.

November 12, read first, referred to judiciary. November 21, reported favorably with amendment, read second. January 21, 1897, special order 12 M. January 28.

s. 17. To authorize persons not parties to suits or judgments to have process of garnishment dissolved by executing bond payable to plaintiff in cases where such persons claim the money or property sought to be subjected to garnishment.

November 12, read first, referred to judiciary.

By Mr. Abercrombie—

s. 18. To establish a new charter for the town of Edwardsville, in Cleburne county, and to create the same a separate school district.

November 12, read first, referred to municipal and county organizations. November 20, reported favorably with amendment, read second, calendar. November 21 amendment adversely, read third, passed. December 8, house passed. December 9, signed, approved.

By Mr. Bethune—

s. 19. To amend an act to bar certain claims of witnesses registered against the fine and forfeiture fund of Bullock county, approved February 28, 1889.

November 12, read first, referred to judiciary. November 17, reported favorably, read second, calendar. November 18, read third, passed. December 4, house passed, signed. December 7, approved.

s. 20. To fix the time for pleading, and setting of causes for trial in the courts of the third judicial circuit of Alabama.

November 12, read first, referred to judiciary. November 20, reported favorably, read second, calendar. November 21, read third, passed. December 8, house passed, signed. December 9, approved.

By Mr. Case—

s. 21. To better protect prisoners in this State against mob violence.

November 12, read first, referred to judiciary.

By Mr. Pettus—

s. 22. To secure efficiently competent and well qualified jurors in the county of Coosa.

November 12, read first, referred to judiciary.

By Mr. Browder—

s. 23. To make appropriations for the ordinary expenses for the executive, legislative and judicial departments of the State, for interest on the public debt, and for public schools.

November 12, read first, referred to finance and taxation.

By Mr. Brown—

s. 24. To provide for making non-resident parties defendants in actions at law by publication, where one or more defendants in such action reside in the State.

November 13, read first, referred to judiciary.

(by request)—

s. 25. To establish a county school book board to select a uniform series of text books for use in the public schools in the county of Winston.

November 13, read first, referred to education. November 20, reported favorably, read second, calendar. November 21, read third, passed. December 9, house passed, signed. December 9, approved.

By Mr. Sayre—

s. 26. To relieve Laura C. Hill of Montgomery county of the disabilities of non-age.

November 13, read first, referred to judiciary. November 20, reported favorably, read second, calendar. November 21, read third, passed. November 28, house passed, November 30, signed.

By Mr. Hogue (with notice)—

s. 27. To refund to Henrietta Morton thirty dollars, paid into the State treasuary by her for the purchase of certain lands bid in by the State

for taxes and subsequently found to have been erroneously sold.

November 13, read first, referred to finance and taxation. November 19, reported favorably, read second. November 20, read third, passed. December 8, house passed. December 9, signed, approved.

By Mr. Grant—

s. 28. To amend section 2984 of the Code of Alabama.

November 13, read, referred, judiciary.

By Mr. Lee—

s. 29. To provide for the better support of the public schools of Escambia county, Alabama.

November 13, read first, referred education. November 24, reported favorably, read second, calendar. November 25, recommitted to judiciary with instructions on constitutionality. November 28, reported favorably with substitute and amendment, read second. November 30, substitute adopted, read third, passed. December 8, December 9, signed, approved.

By Mr. Walker—

s. 30. To establish a new charter for the city of Demopolis.

November 13, read first, referred, corporations. November 16, reported favorably, read second. November 17, read third, passed. December 8, house passed. December 9, signed. December 9, approved.

By Mr. Case—

s. 31. That no person on an official bond in this State shall be held liable for any shortage claimed to be on such bond until the maker of the same shall have been tried, convicted and punished in accordance with law.

November 13, read first, referred judiciary.

By Mr. Smith—

s. 32. To amend section 12 of an act to establish a State board of embalming, to provide for the better protection of life and health, to prevent the spread of contageous diseases, and to regulate the practice of embalming and the care and disposition of the dead, approved December 12, 1894.

November 13, read first, referred, public health.

s. 33. To amend an act to allow county commissioners in each county to appropriate a sufficient sum to pay armory rent for military companies located in their respective counties, approved February 18th, 1895.

November 13, read first, referred, military. November 25, reported favorably, read second. November 27, read third, passed. December 7, signed. December 8, approved.

By Mr. Moody—

s. 34. To prevent the dismissal of actions at law and suits in equity for the reason that some court other than the one in which the cause originated has jurisdiction of the subject matter, and to prescribe the practice in such cases.

November 13, read first, referred judiciary. February 13, reported favorably, read second, calendar. February 16, read third, passed.

s. 35. To authorize equitable defenses to be set up in actions at law, and to provide for the practice in such cases.

November 13, read first, referred, judiciary. February 13, reported favorably, read second, calendar. February 16, read third, passed.

By Mr. Sowell—

s. 36. To amend section 3682 of the Code of Alabama.

November 14, read first, referred, judic-

iary. November 17, reported favorably, read second, calendar. November 19, tabled.

s. 37. (With notice, and petition.) For the relief of Charles M. Flannagan.

November 14, reported favorably referred, finance. November 24, read first, amended, read second, calendar. November 25, amended, adopted, read third, passed.

By Mr. Abercrombie, (by request).—

s. 38. To incorporate the city of Fruithurst.

November 14, read first, referred, corporation. November 20, reported favorably, read second,, calendar. November 21, amended, adopted, read third, passed.

By Mr. Thomason—

s. 39. To amend section 9 of an act entitled an act to establish five additional branch agricultural experiment stations and agricultural schools, to be located in the first, fourth, fifth, sixth, and ninth congressional districts respectively in the State of Alabama, approved February 18th, 1895.

November 14, read first, referred, education. November 19, reported favorably adopted, read second. November 21, adopted, read second. November 21, adopted, concurred in.

By Mr. Nolen—

s. 40. To amend section nine (9) of an act entitled an act, approved February 18th, 1895, to establish five additional branch agricultural experiment stations and agricultural schools, to be located in the first, fourth, fifth, sixth and ninth congressional districts, respectively in the State of Alabama.

November 14, read first, referred, education. November 19, reported favorably, with substitute, read second. November 20, substitute, amended and read third, passed. De-

cember 8, house passed. December 9, signed, approved.

By Mr. Cunningham—

s. 41. To authorize the levy and collection of a tax upon properly within the city of Birmingham, Alabama, or that may be lawfully taxable therein, for the maintenance of the public schools of said city.

November 14, read first, referred, education. November 17, reported favorably, read second, calendar. November 18, read third, reconsidered, recommitted, judiciary. November 20, reported favorably, read first, read second, calendar. November 31, special order Monday November 23, 12 m. November 23, read third, passed —yeas 24, nays 3. December 7, signed. December 9, vetoed, veto sustained, bill lost.

s. 42. To confirm the incorporations of the Birmingham Medical College, a corporation organized under the general laws of this State to declare its powers, and to confer upon it additional rights, privileges and powers.

November 14, read, referred, public health. November 17, reported favorably. read, second calendar. November 18, read third and passed. December 8, house passed. December 9, signed.

s. 43. Relative to bonds, undertakings, recognizances, guarantees, and other obligations, required or permitted to be made, given, tendered or filed with surety or sureties, and to the acceptance as surety or guarantor thereupon, of companies qualified to act as such.

November 14, read first,referred, judiciary.

s. 44. [By request] To amend an act to incorporate the Southern Mutual Fire Insurance company which was approved February 18th, 1895.

November 14, read first, referred, corporation. November 19, read favorably,read second. November 20, read third, passed.

November 24, house passed. November 25, signed.

By Mr. Lee—

s. 45. To repeal a certain act entitled an act to in corporate the town of Alco, in the county of Escambia, and State of Alabama, approved February 13th, 1889.

November 14, read first, referred municipal and corporation. November 19, reported favorably, amended, read second. November 21, amended, adopted, read third, passed. January 30, signed and approved.

s. 46. To repeal an act entitled an act to constitute the town of Alco, in Escambia county, Alabama, a separate school district.

November 14, read first, referred, municipal and county organization. November 19, reported favorably, read second. November 21, read third, passed. December, 8, house passed. December 9, signed, approved.

By Mr. Kilpatrick—

s. 47. To prevent fires getting out in the woods in Wilcox county, Alabama.

November 14, read, first, referred judiciary. November 17, reported, favorably, second, calendar. November 8, read third, passed. December 8, house passed, signed, approved.

s. 48. To amend an act entitled an act "to confer additional jurisdiction upon the county court of Wilcox county, and to regulate the proceedings therein," approved February 23rd, 1881.

November 14; read first, referred, judiciary. November 17, reported, favorably read second, calendar. November 18, read third, passed. December 4, house passed, signed.

s. 49. To provide for the holding of regular jury terms of the county court of Wilcox county, Alabama, when the judge of said court from sickness or otherwise fails to attend.

November 14, read, first referred judiciary. November 24, reported favorably,

amendment, read second, calendar. November 25, amendment adopted, read third, passed. December 9, house passed. December 9, signed, approved.

By Mr. Case—

s. 50. To enable tenants in DeKalb county to more readily procure medical treatment for them and their families.

November 14, read first, referred, public health.

By Mr. Matthews—

s. 51. To amend section (1) of an act to establish the Guin school district in Marion county.

November 14, read first, referred, education. November 19, reported favorably with substitute, read second. November 20, substitute adopted, read third, passed. December 8, house passed. December 9, signed, approved,

By Mr. Smith—

s. 52. To regulate the services to be rendered by recently appointed Mobile bay or bar pilots.

November 14, read first, referred to local legislation. November 16, reported favorably, read second. November 17, read third, third and passed.

s. 53. To amend section 1385 of the code of 1876 as amended by an act of the general assembly of Alabama, approved December 12th, 1882, entitled "au act to ameud sections 1385, 1388, 1393, 1395, 1396, 1399 of the code of Alabama, containing regulations of pilots and pilotage in the boy and harbor of Mobile," and further to amend section 1386 of the code of Alabama of 1876 as amended by au act of the general assembly of Alabama, approved February 9th, 1895, and entitled "an act to amend section 1386 of the code of Alabama, of 1876, relating to certificates of appointment and oath of office.

November 14, read first and referred, to local legislation, November 16, reported favorably, with amendment, read second; calendar. November 17, amendment adopted read third and passed, December 7, con. house amendment, December 8, signed.

s. 54. To confirm the incorporations of the Athelstan Club, of Mobile, Alabama and to amend its charter.

November 14th, read first and referred to corporations.

(With notice.)

s. 55, To confirm the incorporation of the Fidelia Club, of Mobile, Alabama, and to amend its charter.

November 14, read first and referred to corporations.

By Mr. Brown—

s. 56. To amend sections nineteen (19), twenty-one (21) and thirty-two (32) of an act entitled an act to further regulate elections in the State of Alabama, approved Feb. 21, 1896.

November 14th, read first and referred to privileges and elections.

(With petition)—

s. 57. To establish a separate school distrct to be known as the Valley Grove school district, in Cullman county, Alabama.

November 14, read first, referred to education. November 18th, reported favorably, read second November 19, read third, passed.

By Mr. Hundley—

s. 58. To authorize the mayor and aldermen of the city of Huntsville to issue bonds for the purpose of constructing sewers in said city.

November 14, read first, referred to municipal and county organization. November 19, reported favorably, read second. November 21, read third, passed.

By Mr. Brown—

s. 59. To repeal an act entitled, "An act to amend section 5025 of the code [of 1876] so far as the same applies to Blount county." Approved February 23, 1883, and also to re-enact section 3675 of the code of Alabama, as to the county of Blount.

November 16, read first, referred to local legislature. November 19, reported favorably, read second. November 20, read third, passed. December 9, house passed, signed.

s. 60. To render void as to certain persons all contracts by which title to personal property is retained in one not having same in his possession, unless such contract or a sworn statement thereof is filed for record in the probate office.

November 16, read first referred to judiciary. November 24, reported favorably, substituted, read second, calendar. November 25, substituted, added caption and read third and passed.

New caption as follows:

To provide for the registration of contracts of conditional sales of personal property.

s. 61. To require notice to be given of application for letters of administration and of guardianship in all cases before appointment of administrators or guardians, and to provide for a contest of such applications.

November 16, read first and referred to judiciary.

s. 62. To make legal the sale of any land ordered sold by the probate court, in the adverse possession of third persons, and to authorize the action of ejectment to obtain possession of such land under order confirming any such sale, and to make any such order prima facie

evidence of ownership and right of possession.

November 16, read first and referred to judiciary.

s. 63. To amend section 2937 of the code of 1886.

November 16, read first and referred to judiciary. November 20, reported favorably, read second, calendar. November 21, read third and passed.

By Mr. Thomason—

s. 64. To amend section seven (7) of an act to preserve order at the Sims camp ground, in the county of Randolph, State of Alabama.

November 16, read first, referred, local legislation. November 19, reported favorably, read second. November 20, read third, passed. December 8, house passed, signed. December 9, approved.

By Mr. McElderry—

s. 65. To enforce proceedings supplementary to an execution against property.

November 16, read first, referred, judiciary. December 4, reported favorably with substitute, read second, calendar. December 5, substitute adopted, read third, passed.

By Mr. Lee—

s. 66. To make valid and chargable against the fine and forfeiture fund of Escambia county, Alabama, certain witness scrip or witness certificates issued by the foreman of the grand juries of Escambia county, Alabama, and have said scrip or witness certificates paid by the treasurer of said county in the order of their registration.

November 16, read first, referred, finance and taxation. November 21, reported favorably, read second. November 23, read third, passed. February 15, house passed. Feb-

ruary 15, signed. February 16, approved.

By Mr. Brooks, by request—

s. 67. To amend section 855 of the Code so far as the same relates as to who may practice law.

November 16, read first, referred, judiciary. November 21, reported favorably, read second. November 23, read third, passed. November 24, passage recommitted, lost.

By Mr. Sayre—

s. 68. To regulate the filing of pleas and demurrers in the circuit courts of the counties of Lowndes, Butler, Crenshaw and Conecuh.

November 16, read first, referred, judiciary. November 21, reported favorably, read second. November 23, read third, passed. December 9, signed, approved.

s. 69. To require the board of revenue of Montgomery county to divide the territory now embraced in precincts 3, 4 and 17 in said county into precincts containing not more than one thousand male persons over the age of twenty-one years.

November 16, read first, referred, privileges and elections. November 18, reported favorably, read second. November 19, read third, passed. December 9, house amendments and passed, senate concurs. December 9, signed, approved.

By Mr. Case—

s. 70. To require the judge of probate of DeKalb county to keep in his office a blank book or blank tablet of mortgages and, also, one of deeds in which to record a description of property; and to keep duplicates of same for sale.

November 16, read first, referred to judiciary. November 21, recalled from judiciary, referred to finance and taxation. January 28, reported favorably, read second. January 30, as amended read third, passed. February 16, house amendments passed; senate non-con-

curred, committee of conference asked for. February 18, house concurred in conference report; read third, passed; senate concurs; signed and approved.

s. 71. To better provide for the working of the public roads of DeKalb county.

November 16, read first, referred to local legislation. November 19, reported favorably, read second. November 20, read third, passed. December 8, house passed. December 9, signed and approved.

By Mr. McElderry—

s. 72. For the protection of the creditors of any insolvent and failing corporation against preferences made or suffered by the directors, officers or managers of such corporation in the payment or security of debts.

November 16, read first, referred to judiciary. November 21, reported favorably, read second.

By Mr. Cunningham—

s. 73. To incorporate the Montezuma University, of Bessemer, Alabama.

November 17, read first, referred to corporations. November 18, reported favorably, read second. November 20, read third, passed. November 28, house passed. November 30, signed.

By Mr. Hawkins—

s. 74. Joint resolution, authorizing the employment of one messenger and two servants of the senate.

November 17, read first, referred to rules. November 20, reported favorably, adopted and sent to house without engrossment. November 20, house amended and senate concurred. November 21, signed. November 23, approved.

By Mr. Case—

s. 75. To amend an act entitled an act approved February 21st, 1893, "To authorize the probate judges of DeKalb, Limestone and Crenshaw counties to call a special school board of education to select a uniform series of standard school books to be used in the public schools of DeKalb, Limestone and Crenshaw counties, Alabama.

November 17, read first, referred to education. November 19, reported favorably, with substitute, read second. November 20, read third, recommitted to education. November 24, reported favorably substitute, read second, calendar. November 25, substitute adverse, read third, passed. December 8, house passed. December 9, signed and approved.

By Mr. Hogue—

s. 76. To fix and regulate the salaries and fees of certain officials of the State.

November 17, read first, referred to finance and taxation. November 19, reported favorably, read second. November 20, read third, passed. November 20, notice by Smith to reconsider. November 21, vote on passage reconsidered, vote on third reading reconsidered, amended, postponed and made special order 1 o'clock Tuesday after recess. January 26, substitute offered considered, pending. January 27, substitute adopted, amended, read third, passed.

By Mr. Robinson—

s. 77. To incorporate St. Clair college.

November 17, read first, referred to education. November 18, reported favorably, read second. November 19, read third, passed. December 4, house passed, signed. December 7, approved.

By Mr. Sowell—

s. 78. To authorize and empower the mayor and council of the town of Athens to issue and sell bonds of said town to an amount not exceeding fifteen thousand dollars, falling due not more than thirty years from their date, bearing not exceeding six per cent. interest, payable semi-annually, for the purpose of establishing and operating a first class system of water works in and for said town and its inhabitants.

November 18, read first, referred to municipal and county organizations.

By Mr. Deans of Shelby—

s. 79. To regulate, fix and prescribe the ex-officio compensation of the sheriff of Elmore county.

Nov. 18, read first, read second, referred to finance and taxation. Nov. 20, withdrawn by Mr. Deans of Shelby.

By Mr. Case—

s. 80. To protect merchants in this State in buying shoes of an agent, salesman or firm against fraud; and also purchasers in buying shoes from retail merchants against fraud.

Nov. 18, read first, referred to judiciary.

By Mr. Sowell—

s. 81. To fix and regulate the ex-officio fees of the clerk of the circuit court of Limestone county.

Nov. 18, read first, referred to judiciary. November 21, reported favorably, read second. November 23, read third, passed. December 9, house amended and passed, senate concurs. December 9, signed and approved.

By Mr. Smith—

s. 82. To amend section 746 of the Code of Alabama of 1886.

November 19, read first, referred to judiciary.

s. 83. To enable the register in chancery to collect his costs where bills have been filed for divorce.

November 19, read first, referred to judiciary. November 21, reported favorably with amendment, read second. November 23, amendment adopted, caption amended, read third, passed.

s. 84. To secure the costs in the court of chancery in this State where bills are filed for divorce.

November 19, read first, referred to judiciary.

By Mr. Boykin—

s. 85. To authorize the court of county commissioners of Lee county, Alabama, to issue and sell bonds of said county to an amount not exceeding $25,000 for the purpose of building a new court house for said county.

November 19, read first, referred to judiciary. November 21, reported favorably with amendment, read second. November 23, amendment adopted, read third, passed. December 4, house passed, signed. December 7, approved.

By Mr. Case—

s. 86. To provide for the election of the railroad commissioners of Alabama.

November 19, read first, referred to commerce and common carriers. November 21, called from commerce and common carriers.

By Mr. Smith—

s. 87. To ratify and confirm the organization of the Mobile and Birmingham Railroad Company and to declare the rights, powers, franchises and privileges of said Mobile and Birmingham Railroad Company.

November 19, read first, referred to commerce and common carriers. December 5, reported favorably with amendment, read second, calendar. December 8, amendment

adopted, read third, passed, ordered unengrossed. January 30, house passed. February 2, signed. February 3, approved.

By Mr. Sayre—

s. 88. To authorize the Governor to sell and convey a certain lot or parcel of land situate near Montgomery, Alabama, belonging to the State.

November 19, read first, referred to corporations. November 25, reported favorably, read second. November 27, read third, passed. December 8, house passed. December 9, signed and approved.

s. 89. To authorize the city council of Montgomery to issue bonds for the purpose of borrowing money to pave, or otherwise improve the streets of the city of Montgomery.

November 19, read first, referred to corporations. November 25, reported favorably, read second. November 27, read third, passed. December 8, house passed. December 9, signed and approved.

s. 90. To amend sections 1 and 7 of an act entitled an act to provide a system of water works for the city of Montgomery, approved the 26th day of January 1891.

November 19, read first, referred to corporations. November 25, reported favorably, read second. November 27, read third, passed. December 8, house passed, signed. December 9, approved.

s. 91. To amend sections 1, 9, 21, 43, 50, 72, 92 and 98 of "An act to establish a new charter for the city of Montgomery," approved February 21, 1893; and sections, 1, 2, 3, 4, 5, 12, 17, 20, 22, 25, 30, 31, 32, 35 and 37 of "An act to amend sections 3, 5, 6, 7, 10, 11, 12, 15, 17, 18, 24, 27, 35, 37, 38, 42, 52, 53, 54, 55, 57, 59, 60, 61, 62, 65, 66, 71, 73, 77, 78, 79, 81, 83, 84, 85 and 96, and to repeal section 82 of an act to establish a new charter

for the city of Montgomery, approved February, 21st, 1893, approved February, 18th, 1895.

November 19, read first, referred to corporations. November 25, reported favorably, read second. November 28, amended, caption amended, read third, passed. December 9, house amends and passes, senate concurs, signed. December 9, approved.

By Mr. Brown (by request)—

s. 92. To authorize the location at any point within the fifth congressional district of the fifth district agricultural experiment station and agricultural school, authorized by the act approved February 18, 1895, establishing five additional branch agricultural experiment stations and agricultural schools.

November 19, read first, referred to agriculture.

By Mr. Matthews—

s. 93. To amend section 3685 of the Code.

November 20, read first, referred to judiciary.

By Mr. Case—

s. 94. To amend section 1754 of the civil Code of 1886.

November 20, read first, referred judiciary.

By Mr. Hundley—

s. 95. To repeal an act entitled an act to further regulate elections in the State of Alabama approved February 21st 1893 and to repeal an act entitled an act to amend section 5 to repeal section 35 and section 36 to add section 49 to an act entitled an act to further regulate elections in the state of Alabama, approved February 21st, 1893.

November 20, read first, referred to privi-

lige and elections. February 9, motion to make special order, tabled.

By Mr Brewer—

s. 96. For the protection of the State capitol and the grounds around it.

November 20, read first, referred judiciary. November 24, reported favorably, amended read second, calendar. November 25, amended adopted read a third, passed. December 8, house passed,—signed. December 9, approved.

By Mr. McElderry—

s. 97. To regulate the use of the great seal of the State.

November 20, read first, referred to finance and taxation. November 24, reported favorably, read second, calendar. November 25, read third and passed.

By Mr. Kilpatrick—

s. 98. For the relief of L. W. McRae of Washington county.

November 20, read first, referred to finance and taxation. November 28, reported favorably, read second. November 30, read third and passed.

By Mr. Brown—

s. 99. To amend section 1 of an act approved February 13th, 1891, entitled an act to amend an act entitled an act for relief of needy Confederate soldiers and sailors, residents of Alabama, who from wounds or other causes are now unable to earn a livelihood, and for the widows of such as were killed or died in said war, and have not since re-married, approved February 18th, 1895;

November 21, read first, referred to finance and taxation. November 24, reported favor-

ably, read second, calendar. November 25, amended, adopted, caption amended, read third, passed. November 27, passed, reconsidered, third reading reconsidered amended adopted and read third, passed. February 15, house amended and passed. February 15, Senate concurred. February 16, signed. February 16, approved.

By Mr. Abercrombie—

s. 100. To amend section 3536 of Code of 1886.
November 21, read first, referred to judiciary. November 24, reported favorably, read second, calender. November 25, read third, passed.

s. 101. To regulate the sale of personal property in which the seller retains the title.
November 21, read first, referred to judiciary.

By Mr. Kilpatrick—

s. 102. To amend an act to relieve married women of their disabilities of minority, approved February 18th, 1895.
November 21, read first, referred to judiciary. November 25, reported favorably, read second. November 27, read third, passed.

By Mr. Case—

s. 103. To elect all State and city solicitors in Alabama, by the popular vote of the people.
November 21, read first, referred to judiciary. November 23, withdrawn and returned to Mr. Case.

By Mr. Cunningham—

s. 104. To regulate management and work of convicts in the State of Alabama, providing for the more humane treatment of the convicts, the maintenance of the revenue derived from

convict labor and the more equitable distribution of the competition of convict with free labor.

November 21, read first, referred to penitentiary. November 23, 500 copies ordered printed. December 7, reported favorably with amendment, read second, calendar. December 8. special order Jan. 22, 12 M continuing. January 22, special order January 27, after report committees continuing. January 28, continuing committe of whole. January 30, read third, passed.

By Mr. Day—

s. 105. Relative to bonds, undertakings recognizances guaratees and other obligations requied or permitted to be made, give tendered or filed with surety or surities, and to the acceptance as surity or guarantor thereupon of companies qualified to act as such.

November 23, read first, referred to judiciary.

By Mr. McElderry—

s. 106. To fix the times and places of holding the chancery courts in the northeastern chancery division.

November 23, read first, referred, judiciary. November 25, reported favorably, read second. November 27, read third, passed. December 9, signed. December 9, approved.

By Mr. Smith—

s. 107. To prevent, excessive port charges in the port of Mobile.

November 23, read first, referred, judiciary. November 24, reported favorably, read second, calendar. November 25, read third, passed.

s. 108. To require sworn statements to be furnished ship captains and owners of ships entering the harbor of Mobile, specifying the actual

payments made in the disbursements and port charges in the harbor of Mobile.

November 23, read first, referred, judiciary. November 24, reported favorably. read second, calendar. November 25, read third, passed.

By Mr. Brown—

s. 109. To amend an act entitled an act to amend sections 1879, 1880, 1881 and 1882 of the Code of 1886, approved February 27th, 1889.

November 24, read first, referred, judiciary.

By Mr. Cunningham—

s. 110. To prohibit book-making or pool selling in the State of Alabama.

November 24, read first, referred, judiciary. January 22, reported favorably, with substitute, read second, calendar. January 23, substitute and substitute amendment, read third, passed. February 4, house passed. February 5, signed. February 6, approved.

s. 111. Regulating the payment of the wages of employes, laborers and wage earners engaged in mining and manufacturing in the counies of Jefferson, Walker, Bibb and Blount.

November 24, read first, referred, corporations. December 4, reported favorable, read second, calendar. December 5, special order January 21, 12 m; 100 copies printed. January 21, recommitted to corporations. January 26, reported favorably, with substitute, read second.

By Mr. Brewer—

s. 112. To regulate the purchase of stationery and other articles by the officials of Lowndes county.

November 24, read first, referred, finance and taxation. November 27, reported favorably, amended, read second, calendar. No-

28, amendment adopted, read third, passed. January 28, house passed. January 29, signed. January 30, approved.

By Mr. Walker—

s. 113. To regulate the holding of the circuit court of Marengo county, and to provide for the practice and proceedings therein.

November 24, read first, referred, judiciary. November 28, reported favorably, read second. November 30, read third, passed. February 16, house amends and passed. February 16, signed. February 18, governor vetoed, reconsidered, read third, passed.

By Mr. Brooks—

s. 114. To amend and revise an act entitled an act to incorporate the town of Eunola, in Geneva county, Alabama.

November 24, read first, referred, municipal and county organizations. November 30, reported favorably, read second, calendar. December 1, read third, passed. February 16, house passed, signed. February 18, approved.

By Mr. Matthews—

s. 115. To repeal an act entitled an act to regulate the fees of the judge of the county court of Franklin county, Alabama.

November 24, read first, referred, judiciary. November 28, reported favorably, read second. November 30, read third, passed. February 13, house passed.

s. 116. For the relief of Mrs. Fannie Parrish.

November 24, read first, referred, finance and taxation. January 23, reported favorably, read second. January 27, substitute adopted, read third, passed. February 13, house passed. February 15, signed. February 15, approved.

By Mr. Bethune—

s. 117. To amend section one of an act entitled an act to incorporate Union Springs Female College, approved February 22, 1887.

November 24, read first, referred, education. November 30, reported favorably, read second, calender. December 1, read third, passed. December 9, house passed, signed. December 9, approved.

By Mr. Hogue—

s. 118. To amend section one of an act approved February 22nd, 1897, entitled an act "to amend section one of an act entitled an act for the protection and preservation of game animals and birds in Perry Co.," approved February 7th, 1885.

November 24, read first, referred to local legislation. November 28, reported favorably, read second. November 30, read third, passed. February 4, house amended, house passed, senate concurs. February 5, signed. February 6, approved.

By Mr. Sowell—

s. 119. To punish the giving of a mortgage or other lien, verbal or written on property, by any person other than the owner thereof, without the written consent of the owner of the property.

November 25, read first, referred judiciary.

By Mr. Abercrombie—

s. 120. To provide for teaching civil government in the public schools of the State.

November 25, read first, referred eduction.

By Mr. Thomason—

s. 121. To incorporate the town of Rock Mills in the county of Randolph.

November 25, read first, referred municipal and county organizations. November 30, re-

ported favorably, read second, calendar. December 1, read third, passed. December 8, house amendments passed, senate concurs. December 9, signed; approved.

By Mr. Deans of Shelby—

s. 122. To establish the "Aldrich School District," in Shelby county, Alabama, and to define the boundaries, rights, power and privileges thereof.

November 25, read first, referred education.

By Mr. Grant—

s. 123. To incorporate the South Alabama Baptist Institute of Thomasville, Clarke county, Alabama.

November 25, read first, referred education. December 5, reported favorably with amendment, read second, calendar. December 7, amendmend adopted, read third, passed, senate concurs, house amendment passed. January 30, signed; approved.

By Mr. Walker—

s. 124. To more effectually secure competent and well qualified jurors for the county of Marengo

November 25, read first, referred corporations. November 30, reported favorably, read second, calendar. December 1, read third, passed. December 6, house passed; signed. December 9, approved.

s. 125. To amend section 2 of an act to prevent stock from running at large in certain parts of Marengo county.

November 25, read first, referred corporations. November 30, reported favorably, read second, calendar. December 1, read third, passed. December 9, house passed. December 9, signed; approved.

s. 126. To fix the time for holding the circuit court in the first judicial circuit of Alabama, to

prescribe the time for pleading and to regulate the sitting of causes for trial therein.

November 25, read first, referred corporations. November 30, reported favorably, read second, calendar. December 1, read third, passed. January 28, house amended, referred judiciary. February 16, senate non-concurs and committee of conference asked. February 16, committee report concurred in. February 18, signed; approved.

By Mr. Bethune—

s. 127. To prohibit the sale, giving away or otherwise disposing of spirituous, vinous or malt liquors or intoxicating ciders, bitters or beverages or fruits preserved in alcoholic liquors within precinct number eight (8) including the incorporations of the towns of Fitzpatrick and Thompson, in Bullock county, Alabama.

November 25, read first, referred temperance. December 5, reported favorably, read second, calendar. December 8, read third, passed. January 30, signed. February 2, approved.

By Mr. Pettus (by request)—

s. 128. To incorporate the town of West Blocton, Alabama.

November 25, read first, referred municipal and county organizations. November 30, returned, referred temperance.

By Mr. Case—

s. 129. For the release of Jesse Slone, J. T. Miller, James B. Marsh, Reuben C. Davis, C. C. Davis, W. E. Quin, E. S. Killion and B. H. Nicholson from the payment of the official bond of S. D. Monroe, ex-county treasurer of DeKalb county, Alabama.

November 25, read first, referred finance and taxation. November 27, reported favorably,

amended, read second, calendar. November 28, recommitted to judiciary. December 8, reported favorably amendment, read second, calendar. December 9, amendment adopted, read third, passed. January 30, house passed. February 1, signed. February 2, approved.

By Mr. Brown—

s. 130. To create a separate school district to be known as the Blountsville school district, in Blount county.

November 27, read first, referred education. November 30, reported favorably, read second, calendar. December 1, read third, passed.

s. 131. To authorize the secretary of State to dispose of certain books belonging to the State.

November 27, read first, referred printing. November 28, reported favorably, read second. November 30, read third, passed. December 9, house passed; signed. December 9, approved.

s. 132. To require passenger trains to be stopped at Bangor, in Blount county, to receive and discharge passengers.

November 27, read first, referred commerce and common carriers. December 5, reported favorably with amendment, read second, caldar. December 8, amendment adopted, read third, passed.

s. 133. To amend section 3430 of the code of 1886.

November 27, read first, referred judiciary.

s. 134. To amend section 2936 of the code of 1886.

November 27, read first, refered judiciary.

s. 135. To amend section 4 of an act entitled "an act to dispose of lands which have been or which may hereafter be sold for taxes and bid in for the State and which have not been redeemed or purchased from the State," approved Febproved February 9th, 1895.

November 27, read first, referred finance

and taxation. December 1, reported favorably with amendments, read second, calendar. December 2, recommitted finance and taxation.

s. 136. To repeal an act entitled "an act for the relief of persons who have purchased lands from the State, which lands were bid off for the State at tax sale and from any cause were not subject to sale by the State," approved February 18th, 1895.

November 27, read first, referred finance and taxation.

By Mr. Hall—

s. 137. To prohibit county commissioners from issuing interest bearing warrants or claims against their counties.

November 27, read first, referred finance and taxation.

By Mr. McElderry (by request)—

s. 138. To amend sections 1, 3, 6, 10 and 13 of an act entitled an act to amend an act entitled an act to incorporate the Alabama Baptist Colored Normal and Theological School and all amendments thereto, approved February 11th, 1895.

November 27, read first, referred education. December 5, reported favorably with amendment, read second, calendar. December 7, amendment adopted, read third, passed.

By Mr. Thomason—

s. 139. To incorporate the Copper Hill Mining Company of Alabama.

November 27, read first, referred corporations. December 3, withdrawn.

By Mr. Buchanan—

s. 140. To regulate and provide for the trial of misdemeanors in Crenshaw county, Alabama.

November 27, read first, referred judiciary.

By Mr. Pettus (by request)—

s. 141. To amend an act entitled "an act to raise and appropriate the money granted to the State of Alabama by an act of congress, approved August 20th, 1890, entitled an act to apply a portion of the proceeds of the public lands to the more complete endowment and support of the colleges for the benefit of agriculture and the mechanic arts, etc., and other purposes," approved February 13th, 1891.

November 27, read first, referred, education.

By Mr. McElderry, (by request)—

s. 142. Memorial of the Commercial and Industrial Associations of Alabama relative to holding a constitutional convention.

November 27, read first, referred, privileges and elections.

By Mr. Hall—

s. 143. To prevent putting logs, brush and sawdust in rivers, creeks, branches, lakes, ponds and lagoons in this State, and for the punishment thereof.

November 27, read first, referred to local legislature. January 27, reported, favorably with amendment, read second. January 30, as amended, read third, passed. February 6, house amends, passed. February 6, senate concurs, house amended. February 8, signed, approved.

By Mr. Brown, (by request)—

s. 144. To secure more effectively competent and well qualified jurors in the county of Franklin.

November 27, read first, referred, judiciary December 4, reported, favorably read second, calendar. January 27, amended, adopted, read third, passed. February 16, house passed. February 16, signed, approved.

s. 145. To create a separate school district to be known as the Joppa school district in Marshall, Morgan and Cullman counties, Alabama.

November 28, read first, referred, education. December 5, reported favorably read second, calendar. December 7, read third, passed.

s. 146. To amend sections one and five of an act entitled, "An act to provide record books and stationery for the office of the probate judge of Blount county, for use in the western division of said county, and to require such judge to keep the books, records and papers, so provided for at the court house at Bangor, or within one mile thereof, and to keep a clerk, who shall have authority in the name of the probate judge to do and perform all ministerial acts which are, or may be by law, required to be performed by such probate judge in said western division, and to provide for the holding of probate courts at Bangor. Approved February 14, 1893.

November 28, read first, referred to judiciary. December 1, reported favorably first, read second, calendar. December 2, read third, passed. February 18, house passed. Signed. February 18, approved.

s. 147. To amend section five of an act entitled, "An act to regulate the times of holding circuit courts in the western division of Blount county, and to provide records therefor, and to require the clerk of the circuit court of said county to keep a deputy clerk and office at Bangor, in said western division." Approved December 18th, 1892.

November 28, read first, referred to judiciary. December 1, reported favorably read second, calen-

dar. December 2, read third, passed. December 8, house passed. December 9, signed, approved.

By Mr. Moody—

s. 148. To authorize and require an election to be held in this state concerning the regulation of the sale, giving away, or delivery of spirituous, vinous and malt liquors in this state, and to declare the effect of said election.

November 28, read first, referred to temperance, November 30, reported favorably substitute, read second, calendar, 300 copies ordered printed. December 1, special order, Wednesday. December 2, special order, Monday, December 7, 12 M. December 7, special order, January 21, 12 M. January 21, special order, 11 A. M., January 25, January 25, substitute, . adopted, amended, senate refused to order the third reading pending. January 26, senate reconsiders vote refusing to order third reading, amended, caption amended, read third, passed.

By Mr. Matthews (by request)—

s. 149. To amend section 1319 of the code.

November 28, read first, referred to finance and taxation. December 8, reported favorably with substitute, read second, calendar. December 9, substitue, adopted, recommitted to finance and taxation, January 23, reported favorably, with amendment, read second. January 28, substitute amended, adopted read third, passed.

By Mr. Pettus—

s. 150. To authorize the Southern Railway Company to discontinue the use of that part of its railroad west of the town of York, in Alabama, in the direction of Lauderdale Station, in Mississippi.

November 28, read first, referred to commerce and common carriers, November 30, reported favorably read second, calendar. December 1, read third, passed.

By Mr. Kilpatrick—

s. 151. To change the corporate name of the Montgomery, Hayneville & Camden Railroad to that of the Montgomery, Hayneville & Camden Railroad Company.

November 28, read first, referred to commerce and common carriers. November 30, reported favorably, read second, calendar. December 1, read third, passed. December 9, signed, approved.

By Mr. Brewer—

s. 152. To require passenger trains on railways in this state to stop at the station nearest the court house town of every county in this state, and to prescribe who shall establish such station, and to fix penalties for the violation of such requirement.

November 28, read first, referred to commerce and common carriers. December 5, reported favorably with substitute, read second, calendar. December 8, substitute adopted, read third, passed. December 9, reconsidered, amended, read third, passed. February 12, house amends, passed. February 12, house amendments concurred in, signed. February 12, approved.

By Mr. Robinson—

153. To fix the compensation of the governor of the State of Alabama, secretary of State, State auditor, State treasurer, attorney general, superintendent of education, chief justice and associate justices of the supreme court, chancellors, circuit court judges, circuit court solicitors.

November 30, read first and referred to finance and taxation. December 7, reported adversely, read second, calendar. December 8, adverse report concurred in.

By Mr. Nolen—

s. 154. To provide for refilling the jury box of the county of Coosa, and to legalize the same and provide for drawing the juries for said county from such legalized box.

November 30, read first, referred to judiciary.

By Mr. McElderry—

s. 155. To repeal section 499 of the code of 1876, and an act amendatory of said act approved December 8, 1888, and together with all other amendments of said section 499.

November 30, read first and referred to finance and taxation, December 3, reported favorably, read second, calendar. December 5, read third and passed.

s. 156. To establish a charter for the town of Ashland, Clay county, Alabama.

November 30, read first and referred to municipal and county organizations. December 2, reported favorably, amended, read second, calendar. December 3, amendment adopted, read third, passed. Jan. 28, house passed, signed. January 30, recalled from governor, signature erased. February 1, house amendment, passed, senate concurs. February 2, signed, February 3, approved.

By Mr. Cunningham—

s. 157. To incorporate the board of trustees of the Birmingham district of the North Alabama Conference of the Methodist Episcopal Church South, and to define its object, purpose, powers and authority.

November 30, read first and referred to corporations. December 3, reported favorably, read second, calendar. December 5, read third, passed. February 18, house passed, signed and approved.

s. 158. To amend sections three and nine of an act to enlarge and amend a charter under an act approved January 26, 1891, establishing a charter for the town of Woodlawn, in Jefferson county, Alabama.

November 30, read first and referred to corporations.

By Mr. Kilpatrick—

s. 159. To legalize the acts of the jury commission of Wilcox county, Alabama, in filling the jury box of said county and the drawing of the grand and petit juries therefrom in November, 1896, for the year 1897.

November 30, read first and referred to judiciary. December 1, reported favorably, amendment, read second, calendar. December 2, amendment adopted, read third and passed. December 8, house amendment passed, senate concurs. December 9, signed and approved.

By Mr. Buchanan—

s. 160. To provide that the tax assessor and the tax collector of Crenshaw county shall keep their offices at the court house of said county.

November 30, read first, referred, finance and taxation.

By Mr. Brown, by request—

s. 161. To regulate the examination and admission of applicants to practice law in this State.

November 30, read first, referred, judiciary.

By Mr. Brown—

s. 162. To regulate the issuance of second and third grade certificates to teachers.

November 30, read first, referred, education.

By request—

s. 163. To fix and prescribe an educational qualification for county superintendents of education.

November 30, read first, referred, education.

By Mr. Brown—

s. 164. To amend section eleven of an act entitled "an act to create and establish an industrial school in the State of Alabama for white girls," approved 1895.

November 30, read first, referred, education.

By Mr. Brewer—

s. 165. To confer additional powers and rights upon the Montgomery, Hayneville and Camden Railroad Company, formerly the Montgomery, Hayneville and Camden Railroad.

November 30, read first, referred, finance and taxation. December 3, reported favorably, read second, calendar. December 4, read third, passed. December 9, signed, approved.

By Mr. Abercrombie (by request)—

s. 166. To amend section 2707 of the Code of 1886.

November 30, read first, referred to judiciary. December 3, reported favorably read second, calendar. December 5, read third, passed.

By Mr. Buchannan (by request)—

s. 167. To provide for the filing and recording of votes for the rent of real estate.

November 30, read first, referred to judiciary.

s. 168. To provide for the payment of certificates issued to witnesses by the foreman of the grand jury of Crenshaw county, which the circuit clerk of said county has marked filed instead

of taking them up and issuing certificates in lieu thereof.

November 30, read first, referred to judiciary.

By Mr. McElderry—

s. 169. To amend section four thousand fifty-seven (4057) of the present code of Alabama.

December 1, read first, referred to judiciary.

By Mr Deans of Shelby—

s. 170. To require all monies due any part of township twenty-two (22) of range two (2) west and township twenty-four of range thirteen (13) east of Shelby county to be paid over to the superintendent of education of Shelby county.

December 1, read first, referred to education.

By Mr. Pettus—

s. 171. To further regulate the financial affairs of Dallas county.

December 2, read first, referred to judiciary. December 3, reported favorably, read second, calendar. December 4, read third, passed. January 28, house amends and passed. Senate non-concurres and asks committe of conference, house acceds. February 1, house concurres in conference report. February 2, signed; approved.

By Mr. Pettus (by request)—

s. 172. To refund to the trustees of the Alabama Baptist colored University the sum of $315.70 heretofor collected from said university as taxes on its property which was exempt as belonging to a school and used for school purposes.

December 1, read first, referred to education. January 27, returned, recommitted, finance and taxation.

s. 173. To require the history of Alabama to be taught in all schools, supported, in whole or in part, by public money, or under State control, and and to provide a text book therefor.

December 1, read first, referred to education.

By Mr McElderry (by request)—

s. 174. To amend the charter of the town of Eutaw, in Greene county, in the State of Alabama, and all acts amendatory thereto.

December 2, read first, referred to municipal and county organizations. December 4, reported favorably, read second, calendar. December 5, read third, passed. order unengrossed. December 8, house passed. December 9, signed; approved.

By Mr. Rogers—

s. 175. To preserve the fields and forests of Sumter county against fires.

December 2, read first, referred to agriculture. December 3, report favorably, read second, calendar. December 5, read third, passed. February 5, house passed. February 5, signed. February 6, approved.

s. 176. To regulate peddling in Sumter and Pickens couties.

December 2, read first, referred to finance and taxation. December 5, reported favorably, read second, calendar. December 7, read third, passed.

By Mr. Day (by request)—

s. 177. That all laws or parts of laws which authorize or require the license taxes arising from the sale of licenses in Mobile county, to be paid for the public schools of said county be repealed.

December 2, read first, referred to local legislation. January 27, read adversely.

February 3, report of committe concurred in.

By Mr. McElderry—

s. 178. To appropriate the sum of twenty-two thousand dollars (22,000.00), to be used in the additional improvement of the Institutions for the deaf and blind in this State.

December 3, read first, referred to education. December 4, reported favorably, read second, calender. December 5, read third, passed; ordered unengrossed. December 5, notice to reconsider. December 7, motion to reconsider, tabled. December 8, house passed, signed; approved.

s. 179. To establish the Lineville school district in Clay county.

December 3, read first, referred to education. December 5, reported favorably, read second, calendar. December 7, read third, passed. February 4, house passed; signed. February 6, approved.

By Mr. Thomason (by request)—

s. 180. To prohibit the making of any contract for the payment of money in any other currency than the general legal tender of the United States.

December 3, read first reported to judiciary. December 4, adverse concurred in.

By Mr. Hollis—

s. 181. To legalize the holding of the office of county superintendent of education by women in this State.

December 3, read first, referred to education. December 5, reported favorably with amendment, read a second, calendar. December 7, amended and adopted, special order January 22, 12 M. January 22, amended, read third, passed. Mr. Pettus gave notice to reconsider. January 23, passage to reconsider motion to indefinately postpond, pending.

January 25, motion to indefinately postpone, lost. Passed.

By Mr. Cunningham—

s. 182. To amend sections twelve, fifteen and sixteen of an act approved on the 26th day of January, 1891, entitled an act to establish a charter for the town of Woodlawn, in Jefferson county, Alabama.

December 3, read first, referred to municipal and county organization. December 7. reported favorably, read second, calendar. December 8, read third, passed. February 16, house passed. February 18, signed; approved.

s. 183. To extend the corporate limits of the town of Woodlawn, extend the police jurisdiction of the corporate authorities of said town and to further define the duties of the mayor and aldermen of said town as to the school fund.

December 3, read first, referred to municipal and county organizations. December 7, reported favorably, read second, calendar. December 8, read third, passed. February 16, house amended and passed. Senate concurs. February 18, signed; approved.

By Mr. Grant—

s. 184. To unite all of fractional township 13, range 5 with all of township 13, range 4, between Oak Tuppah Creek, in Choctaw county, into one township school district.

December 3, read first, referred, education. December 5, reported favorably, read second, calendar. December 8, read third, passed. February 1, house passed. Feb. 2, signed, approved.

By Mr. Walker—

s. 185. To establish a separate school district in and for the city of Demopolis and the territory included in the limits of the police jurisdic-

tion thereof, in Marengo county, Alabama, and to provide means to support said separate school district.

December 3, read first, referred, corporations. January 29, reported favorably, read second. January 30, recommitted, education.

By Mr. Brooks—

s. 186. To relieve Andrew J. Greene, of Geneva county, Alabama, of the disabilities of non-age.

December 3, read first, referred, judiciary.

By Mr. Abercrombie—

s. 187. To create the town of Edwardsville, in Cleburne county, a separate school district.

December 3, read first, referred, education. December 4, reported favorably, read second, calendar. December 5, read third, passed, ordered unengrossed. December 8, house passed. December 9, signed, approved.

s. 188. To declare the powers and jurisdiction of the city court of Anniston, of Calhoun county, Alabama.

December 3, read first, referred judiciary. December 5, reported favorably, read second, calendar. December 7, read third, passed, ordered unengrossed. December 9, house passed, signed, approved.

By Mr. Sayre—

s. 189. To incorporate The Capital City Ferry Company.

December 3, read first, referred, corporations. December 4, reported favorably, read second, calendar. December 5, read third, passed, ordered unengrossed. December 8, house amendments, passed, senate concurs. December 9, signed, approved.

By Mr. Rogers—

s. 190. To protect the resident tax payers of Sumter

and Pickens counties from unjust competition.

December 3, read first, referred, finance and taxation. December 5, reported favorably, read second, calendar. December 7, read third, passed. February 3, house amendments and passed, senate concurs. February 3, signed, approved.

By Mr. Sayre—

s. 191 To establish a technical Institute for the colored race in connection with the State Normal School for Colored Students at Montgomery.

December 3, read first, referred, education. January 27, returned, recommitted, finance and taxation. February 11, returned, recommitted, agriculture.

By Mr. Hawkins—

s. 192. To authorize the city of Eufaula to sssue bonds for funding its bonded debt created under an act approved February 6th, 1877, and maturing January 1st, 1899.

December 4, read first, referred, corporations. December 5, reported favorably, read second, calendar. December 7, read third, passed, ordered unengrossed. December 9, house passed, signed. December 9, approved.

By Mr. Brewer—

s. 193. To incorporate the Colonial Investment Company.

December 4, read first, referred, corporations. January 22, reported favorably, read second, calendar.

By Mr. Moody—

s. 194. To establish the Tuscaloosa county law and equity court.

December 4, read first, referred, judiciary. December 5, reported favorably, read second,

calendar. December 7, amended, read third, passed, ordered unengrossed. December 9, house passed. December 9, signed, approved.

By Mr. Abercrombie—

s. 195. To fix the salaries of teachers in the public schools of this State.

December 4, read first, referred, education.

s. 196. To amend section 978 of the Code.

December 4, read first, referred, education.

s. 197. To amend section 968 of the Code.

December 4, read first, referred, judiciary. December 9, recalled and recommitted to education.

s. 198. To regulate the examination and granting of certificates to teachers in this State.

December 4, read first, referred, education.

By Mr. Buchanan—

s. 199. To constitute the city of Luverne, in Crenshaw county, a separate free school district for white children, and to provide for the management of said free school in said school district.

December 4, read first, referred, education. January 22, withdrawn by Buchanan.

By Mr. Brown—

s. 200. To establish a separate school district to be known as the "Logan school district," in Cullman county, Alabama.

December 5, read first, referred, education. December 7, reported favorably, read second, calendar. December 8, read third, passed.

By Mr. G. B. Deans of Shelby—

s. 201. To establish a charter for the city of Jemison, in Chilton county, Alabama.

December 5, read first, referred, municipal and county organizations. December 8, reported favorably, read second, calendar.

December 9, read third, passed. January 29, signed. January 30, approved.

By Mr. Moody—

s. 202. To regulate the payment of losses total as partial by persons, firms, associations or corporations doing the business of insuring property in this State.

December 5, read first, referred, commerce and common carriers.

s. 203. To prohibit the sale of spirituous, vinous or malt liquors within that part of Tuskaloosa county which lies outside of incorporated towns and cities.

December 5, read first, referred, temperance. December 8, reported favorably, read second, calendar. December 9, read third, passed. February 13, house amendment, passed, senate concurs. February 15, signed. February 15, approved.

By Mr. Hogue—

s. 204. To regulate the pay for feeding prisoners in jail.

December 7, read first, referred, finance and taxation. January 26, reported favorably, read second. January 28, special order to-morrow 12 m. January 29, read third, passed.

By Mr. Smith—

s. 205. To authorize the appointment of certain corporations to act in any representative capacity whatever.

December 7, read first, referred, judiciary. January 28, reported favorably, read second. February 3, as amended, read third, passed.

By Mr. Sowell—

s. 206. To create sections one (1), twelve (12) and and thirteen (13) of township one (1), range

four (4) west, and sections 5, 6, 7, 8, 17 and 18, township 1, range 3 west, in Limestone county, a separate school district to be known as "Mount Pleasant" district.

December 7, read first, referred, education. December 8, reported favorably, read second, calendar. December 9, read third, passed.

By Mr. Hall—

s. 207. To prohibit the State of Alabama from entering into contracts for the payment of money in gold alone.

December 7, read first, referred, finance and taxation.

By Mr. Robinson—

s. 208. To require fire insurance companies doing business in this State to pay the full amount of policies in certain cases.

December 7, read first, referred to commerce and common carriers.

By Mr. Walker (by request)—

s. 209. To repeal all laws and parts of laws prohibiting the sale, giving away or otherwise disposing of vinous, spirituous or malt liquors or intoxicating bitters or beverages in Guntersville beat in Marshall county, Alabama, and to regulate the sale thereof in said beat.

December 8, read first, referred to temperance.

By Mr. Boykin—

s. 210. To prescribe the duties and qualifications of attorneys and counsellors at law and regulate their admission to practice in the courts of the State.

December 8, read first, referred to judiciary. January 22, reported favorably, read second, calendar. January 28, read third, passed. February 18, house passed, signed and approved.

By Mr. Sowell—

s. 211. To confirm the incorporation and organization of the Merchants' Bank, of Florence, Alabama, and to enlarge and increase the powers of said corporation.

December 8, read first, referred to corporations.

By Mr. Brooks (by request)—

s. 212. To incorporate the town of Enterprise in Coffee county.

December 8, read first, referred to municipal and county organizations.

By Mr. Abercrombie—

s. 213. To amend section 1008 of the Code.

December 8, read first, referred to education.

By Mr. Hall—

s. 214. To amend section 3 of "an act to establish an agricultural school and experiment station at Albertville, Alabama, Lebanon, Alabama, or Springville, Alabama, to be located by the governor, superintendent of education and commissioner of agriculture," enacted February 21, 1893.

December 8, read first, referred to agriculture.

By Mr. Smith—

s. 215. To amend an act approved February 28th, 1887, entitled an act to facilitate the giving of bonds required by law, and to authorize certain corporations to become the sole surety thereon.

December 9, read first, referred to judiciary.

By Mr. Brown—

s. 216. To require the history, constitution and civil

government of Alabama, to be taught in the public schools.

January 20, read first, referred to education.

s. 217. Looking to the reduction of the expenses of the State government.

January 20, read first, referred to finance and taxation. January 23, reported favorably, read second. January 28, adopted.

s. 218. To require directors of agricultural experiment stations and agricultural schools to publish bulletins and reports.

January 20, read first, referred to agriculture.

s. 219. To regulate the summoning and attendance of witnesses in civil causes and prescribe the duties of parties to suits and clerks of courts in reference thereto.

January 20, read first, referred to judiciary. January 26, reported favorably with amendment, read second. January 30, recommitted to judiciary. February 9, reported favorably with amendment, read second. February 10, amendment adopted, read third, passed.

s. 220. Joint resolution, raising committee to investigate charges of frauds in school census.

January 20, read first, referred to rules.

s. 221. To require persons receiving free tuition in State normal schools to teach five years in the State.

January 20, read first, referred to education. January 22, reported favorably, read second, calendar. January 28, read third, passed, reconsidered, indefinitely postponed.

s. 222. To forbid the payment of any money out of the agricultural fund to such agricultural and experiment stations and agricultural schools as do not actually conduct experiment stations and teach scientific agriculture.

January 20, read first, referred to agriculture.

s. 223. To prohibit the application of any part of the

agricultural fund to the support of primary and intermediate departments in the agricultural experiment stations and agricultural schools.

January 20, read first, referred to agriculture.

By Mr. Hundley—

s. 224. To amend section 4101 of the Code of Alabama.

January 20, read first, referred to judiciary. January 22, reported adversely, read second, calendar. January 28, tabled.

s. 225. To encourage the investment of capital in the State of Alabama.

January 20, read first, referred to finance and taxation.

By Mr. Thomason—

s. 226. To authorize the court of county commissioners of Randolph county to issue bonds for the purpose of erecting a new court house for said county, at Wedowee, Alabama, and to levy a tax to liquidate the debt to accrue thereby.

January 20, read first, referred to finance and taxation.

s. 227. To authorize the preparation of and filling the jury boxes of the county of Randolph to legalize the same when prepared and filled, and to provide for drawing juries from said boxes.

January 20, read first, referred to judiciary. January, 22, reported favorably, read second, calendar. January 27, read third, passed.

By Mr. Abercrombie—

s. 228. To establish a separate school district in Calhoun county, to be called Randolph school district.

January 20, read first, referred to education. January 22, reported favorably,

read second, calendar. January 27, read third, passed. February 15, house passed, signed. February 16, approved.

s. 229. To regulate the resignation of electors in the State of Alabama.

January 20, read first, referred to privileges and elections. February 8, reported favorably, read second, calendar. February 9, read third, passed. February 16, house passed. February 16, signed, approved.

s. 230. To amend section 1663 of the code of Alabama.

January 20, read first, referred to corporations. January 27, returned, recommitted to judiciary.

s. 231. To establish a county court for the county of Cleburne.

January 20, read first, referred to local legislation. January 23, reported favorably, read second. January 28, read third, passed. February 10, house amendment passed, senate concurs. February 11, signed. February 16, approved.

s. 232. To authorize the levy and collection of a tax, upon property within the city of Anniston, Alabama, or that may be lawfully taxable therein, for the maintenance of the public schools of said city.

January 20, read first, referred to local legislation. January 22, withdrawn by Mr. Abercrombie.

By Mr. Hogue—

s. 233. To provide for the election of the county superintendant of education for Perry county.

January 20, read first, referred to local legislation. January 21, reported favorably, read second, calendar. January 22, read third, passed.

(With notice)—

s. 234. To declare R. N. Ervin, a liner between the

counties of Hale and Perry, a citizen of Hale county.

January 20, read first, referred to local legislation. January 21, reported favorably, read second, calendar. January 22, read third, passed. February 3, house passed, signed.

By Mr. Brooks—

s. 235. To provide and regulate the sale of liquors and other intoxicating drinks in Dale county, Alabama.

January 20, read first, referred to temperance. January 21, reported favorably, read second, calendar. January 22, read third, passed. January 27, signed. January 30, approved.

By Mr. Bethune—

s. 236. To amend section 1 of an act to regulate the trial of certain misdemeanors committed in Bullock county, Alabama, approved February 21, 1893.

January 20, read first, referred to judiciary. January 22, reported favorably, read second, calendar. January 27, read third, passed. February 18, signed.

By Mr. Boykin—

s. 237. To provide for the regulation of railroad companies and persons in this State, and to provide for the regulation of railroad freight and passenger tariffs, and the location and building of passenger and freight depots and to regulate rates of storage to be charged, to prevent unjust discriminations in the rates charged for transportation of passengers and freights, and to prohibit railroad companies, corporations and lessees in this State from charging other than just and reasonable rates and to prescribe a mode of procedure and rules of evidence in relation thereto; and to

appoint commissioners and to prescribe their powers and duties in relation to the same.

January 20, read first, referred to commerce and common carriers; 100 copies printed. January 27, reported favorably, with amendments, read second. January 30, special order February 1. February 2, read third, passed, with amendment.

s. 238. To establish a new charter for the town of Seale in Russell county.

January 20, read first, referred to municipal and county organizations. January 23, reported favorably, read second. January 29, read third, passed. February 13, house passed. February 15, signed. February 15, approved.

s. 239. To amend sections 14, 15, 20, 24, of an act entitle an an act to amend an act entitled an act to incorporate the city of Girard, in Russell county, approved December the 8th, 1890, and amend section 16 of an act entitled an act to incorporate the city of Girard in Russell county, approved December the 8th, 1890.

January 20, read first, referred to municipal and county organizations. January 23, reported favorably, read second, calendar. January 29, read third, passed. February 16, house passed. February 18, signed, approved.

By Mr. Sayre—

s. 240. To define and regulate fraternal beneficiary orders.

January 20, read first, referred to corporations. February 2, reported favorably, read second.

[With notice]—

s. 241. To remove the disabilities of non-age of William Bellinger Bell, a minor under the age of eighteen years.

January 20, read first, referred to judiciary. January 22, reported favorably, read second, calendar. January 27, reported favorably, read third, passed. February 2, house passed. February 2, signed, approved.

s. 242. To allow appeals to the supreme court from decisions in the chancery courts of this State granting or refusing to grant rehearings of a final decree, and to provide the manner in which evidence may be introduced in support of said application.

January 20, read first, referred to judiciary. January 28, reported favorably, read second. February 3, read third, passed. February 16, amended, adopted house passed. February 16, senate concurs. February 18, signed.

By Mr. Smith—

s. 243. To incorporate the Mobile Light and Railroad Company.

January 20, read first, referred to corporations. January 22, reported favorably, read second, calendar. January 27, amendment adopted, read third, passed. February 2, house passed. February 5, signed. February 6, approved.

By Mr. Lee—

s. 244. To amend an act to create a separate school district in the town of Brewton, Alabama, to define its boundaries and provide for the maintenance of schools therein, approved February 6th, 1895.

January 20, read first, referred to education. January 22, reported favorably, read second, calendar. January 27, read third, passed. February 12, house passed. February 13, signed. February 15, approved.

By Mr. Matthews—

s. 245. For the preservation of game, animals and birds in the county of Colbert.

Janvary 20, read, referred to local legislation. January 23, reported favorably, read second. January 27, read third, passed.

By Mr. Smith—

s. 246. To prevent persons not an employee, agent, officer, or passenger from attaching themselves to any portion of any train of any railroad company, or its locomotive or tender, for the purpose of beating their way, without paying fare, and to provide for the punishment thereof.

January 20, read first, referred to judiciary.

s. 247. To prevent the jumping on or off trains while in motion, and to provide for the punishment thereof.

January 20, read first, referred to judiciary. January 25th, reported favorably with amendment, read second. January 30, amended, read third, passed. February 16, house passed. February 18, signed, approved.

s. 248. To prevent persons not employees or connected with any railroad from detaching or uncoupling any train, or putting on breaks, or otherwise interfering with same, while standing in any depot, crossing or stop, and to provide for the punishment thereof.

January 20, read first, referred to judiciary. January 25, reported favorably with amendment, read second. January 30, read third, passed. February 18, house passed, signed, approved.

By Mr. Abercrombie—

s. 249. To further regulate elections in the State of Alabama.

January 20, read first, referred to privileges and elections.

By Mr. Abercrombie—

s. 250. To repeal an act entitled an act to prohibit the sale, giving away or otherwise disposing of spirituous, vinous, malt liquors, at or within certain localities in this State, approved February 28, 1881, so far as the same relates to the corporate limits of the city of Fruithurst in Cleburne county, on the Southern Railway.

January 20, read first, referred temperance. January 28, reported favorably, read second. January 30, read third, passed. February 16, house passed, signed. February 18, approved.

By Mr. Brewer—

s. 251. To amend sections 80, 81, 82 and 83 of the code of 1886.

January 20, read first, referred finance and taxation. January 23, reported favorably with amendment, read second. January 27, special order after journal to-morrow. January 28, amendment adopted, read third, passed. February 12, house passed, signed. February 12, approved.

By Mr. Sowell (by request)—

s. 252. To confirm the incorporation of Huntsville and Monte Sano Improvement Company, and to confer upon it additional powers.

January 21, read first, referred corporations. January 29, reported favorably, read second. February 5, tabled.

s. 253. To authorize the court of county commissioners of Madison county to encourage the enlargement of the plant of the Dallas Manufacturing Company in Madison county.

January 21, read first, referred judiciary. January 22, reported favorably, read second,

calendar. January 23, tabled.

s. 254. To provide for the payment of grand jury certificates heretofore issued by the foreman of grand jury when the same have been registered in Madison county.

January 21, read first, referred judiciary. January 22, reported favorably, read second, calendar. January 23, read third, passed. February 12, house passed. February 13, signed. February 15, approved.

s. 255. To authorize the court of county commissioners of Madison county to aid in keeping up the Huntsville Infirmary.

January 21, read first, referred judiciary. January 22, reported favorably, read second, calendar. January 23, read third, passed. February 1, house passed. February 2, signed. February 2, approved.

By Mr. Brown—

s. 256. To require circuit solicitors to attend all circuit courts and supersede county solicitors therein.

January 21, read first, referred judiciary. January 26, reported favorably, read second. January 30, amended, read third, passed. February 1, vote reconsidered; tabled amendment and bill.

s. 257. Requiring practical farming to be taught at all agricultural and experiment stations and agricultural schools in this State.

January 21, read first, referred agriculture.

(By request)—

s. 258. To authorize guardians of minors or insane persons to dispose of personal property belonging to the estates of their wards without an order from the probate court, for the purpose of paying taxes on ward's property, school tuition, or any actual or necessary expenses. January 21, read first, referred judiciary.

s. 259. To incorporate the town of Holly Pond, in the county of Cullman and State of Alabama.

January 21, read first, referred municipal and county organizations. January 23, reported favorably, read second, calendar. January 29, read third, passed.

s. 260. To punish persons who wilfully or recklessly give publicity to falsehoods to influence voters in any election in this State.

January 21, read first, referred privileges and elections.

By Mr. McElderry—

s. 261. To prevent the running at large of stock in certain portions of Talladega county.

January 21, read first, referred local legislation. January 23, reported favorably, read second, calendar. January 27, read third, passed. January 30, house passed, substitute considered. February 2, signed. February 2, approved.

s. 262. To provide for the relief of T. L. Boswell by compensating him out of the county treasury of Talladega county for the registration of electors in said county during the time the said T. L. Boswell has been county registrar of said county, and to provide for the compensation of county registrars of electors in said Talladega county in the future.

January 21, read first, referred privileges and elections. January 22, reported favorably, read second, calendar. January 27, read third, passed. February 4, house passed, signed; approved.

By Mr. Robinson—

s. 263. To repeal an act entitled an act to require sheriff's and coroner's sales in the county of St. Clair, approved Feby. 1st, 1856.

January 21, read first, referred judiciary. January 25, reported favorably, read second, calendar. February 5, tabled.

By Mr. Abercrombie—

s. 264. To amend sections 2, 12, 15 and 17 of an act entitled an act to create a new charter for the town of Heflin, Cleburne county, Alabama, approved December 12, 1894.

January 21, read first, referred muicipal and county organizations. January 23, reported favorably, read second, calendar.

s. 265. To amend the charter of the city of Anniston; to amend sections seventeen (17) and twenty-five [25] of an act approved February 18th, 1895, entitled an act to establish a new charter for the city of Anniston; and to prescribe in what the fines, taxes, licenses, dues and charged due to and collectable by the city of Anniston, shall be paid.

January 2, read first, referred county and municipal organizations. January 23, reported favorably, read second. January 27, read third, passed. February 4, house amended, senate concurred. February 5, signed. February 8, governor veto.

s. 266. To authorize the mayor and council of the town of Edwardsville, in Cleburne county, to issue bonds of said town to the amount of twenty-five hundred dollars for the purpose of purchasing land and erecting thereon and equipping a school building for the benefit of said town.

January 21, read first, referred finance and taxation. January 23, reported favorably, read second. January 27, read third, passed. February 9, signed. February 12, approved.

By Mr. Hall—

s. 267. To authorize and empower the board of control of the Northeast Alabama Agricultural Experiment Station and Agricultural School at Albertville, Alabama, to sell certain lands deeded to the State of Alabama for the benefit of said school.

January 21, read first, referred agriculure.

By Mr. Thomason—

s. 268. To authorize and direct the commissioners court of Randolph county to select and provide a suitable building at Wedowee in said county for the holding of the various courts of said county until a court house shall have been built for said county and to designate said building

January 21, read first, referred local legislation. January 23, reported favorably, read second. January 27, read third, passed. February 4, house passed. February 5, signed. February 6, approved.

By Mr. Deans of Shelby—

s. 269. To authorize the Tallassee Falls Manufacturing Company to discontinue a ferry across the Tallapoosa river near Tallassee, Elmore county, Alabama.

January 21, read first, referred local legislation. January 22, reported favorably, read second. January 27, read third, passed. February 5, house passed; signed. February 6, approved.

By Mr. Grant—

s. 270. For the relief of J. H. Henley, of Clarke county.

January 21, read first, referred local legislation, January 20, reported favorably, read second. January 27, read third, passed.

By Mr. Lee—

s. 271. To amend sections one, four and seven of an act entitled an act to authorize the mayor and councilmen of Brewton to issue bonds of said city for an amount not exceeding twenty-five thousand dollars, for the purpose of putting in a system of water works, and making other permanent improvements in said city, approved February 14th, 1891.

January 21, read first, referred finance and

taxation. January 23, reported favorably, read second. January 27, read third, passed. February 11, signed. February 12, approved.

By Mr. Kilpatrick—

s. 272. To amend section 3634 (3933) of the code of Alabama, adopted and approved on 28th of February, 1887.

January 21, read first, referred judiciary. January 27, reported favorably, read recond. February 3, read third, passed. February 14, house passed, February 18, signed, approved.

s. 273. For the relief of M. E. Curtis, as late sheriff of Wilcox county, Alabama.

January 21, read first, referred judiciary. January 22, returned and referred to finance and taxation.

By Mr. Kilpatrick—

s. 274. To repeal section 1 or rule 1 of rules of the supreme court of Alabama as published and adopted, June 25th, 1896, and which rule is headed or commenced, "1 Abstract of Transcript, Rules in regard to."

January 21, read first, referred, judiciary. January 27, reported favorably, read second. February 3, tabled.

By Mr. Bethune—

s. 275. To amend an act, to amend an act entitled an act for the protection of land and plantations from depredations by stock in Bullock county, approved December the 8th, 1880, approved February 11th, 1883.

January 21, read first, referred, judiciary. January 22, reported favorably, read second, calendar. January 27, read third, passed. February 12, house passed. February 13, signed. February 15, approved.

s. 276. To prohibit physicians and surgeons, when

testifying as witness, from disclosing professional information.

January 21, read first, referred, judiciary. January 22, reported favorably, read second, calendar. January 25, read third, passed.

By Mr. Matthews—

s. 277. To ratify and confirm the incorporation of the Indian Head Mills of Alabama, and to confer additional powers on said corporation.

January 21, read first, referred, corporation. January 27, referred, amended, read second. February 3, read third, passed. February 6, house passed. February 6, signed.

s. 278. To prevent camp hunting in the county of Colbert.

January 21, read first, referred, local legislation.

By Mr. Smith—

s. 279. To incorporate the Gulf Coast Immigration and manufacturing Company.

January 27, read first, referred, corporation. January 27, reported favorably with amendment, read second. February 3, amendment adopted, read third, passed. Febuary 6, house passed. February 6, signed.

By Mr. Cunningham—

s. 280. For the relief of A. A. Coleman.

January 21, read first, referred judiciary. January 22, returned, referred to finance and taxation. January 28, reported favorably, read second. February 9, read third, lost.

By Mr. Robinson—

s. 281. To authorize and empower Ross Yarbrough, a minor under the age of twenty-one years to sell and convey his interest in certain lands.

January 21, read first, referred judiciary.

By Mr. Hundley—

s. 282. To regulate the service of process on non-residents in actions at law.

January 21, read first, referred judiciary.

s. 283. To regulate the appointment of inspectors of election and other election officials, so as to prevent fraud, and secure fair elections in the State of Alabama.

Junuary 21, read first, referred to privileges and elections.

February 10, motion to make special order tabled.

By Mr. Abercrombie—

s. 284. To regulate the public school system of the State of Alabama.

January 21, read first, referred to educatiion 300 copies printed. January 29, reported favorably, read second. January 30, special order February 2. February 4 continuing special order afternoon, February 5, special order. February 9, immediately after journal. 100 copies printed. February 9, postponed till tomorrow. February 10, amendment read third passed.

By Mr. Pettus—

s. 285. To incorporate the Alabama River Barge Line and Railroad Company.

January 21, read first, referred corporation. January 29, reported favorably, read second. February 3, read third passed. February 16, house passed. February 18, signed, approved.

By Mr. Sowell—

s. 286. To create a separate school district in Limestone county, Alabama, to be known as the Athens school district.

January 21, read first, referred education. January 23, reported favorably, read second,

January 27, read third, passed. February 5, passed, signed. February 6, approved.

By Mr. Brown—

s. 287. To amend an act entitled "an act to provide for the county court of Blount county, to be held at the court house at Bangor, for the trial of all causes cognizable in said court, arising in the western division of said county," approved February 21, 1893.

January 22, read first, referred judiciary. January 26, reported favorably, read second. January 30, read third, passed.

By Mr. Robinson—

s. 288. To alter and define the boundary line between Shelby and St. Clair counties, in the State of Alabama.

January 22, read first, referred municipal and county organizations. January 27, reported favorably, read second. January 3, indefinately postponed.

By Mr. McElderry—

s. 289. To provide for the working of the public roads within incorporated cities and towns in the county of Talladega, where no municipal organization is maintained.

January 22, read first, referred local legislation. January 26, reported favorably, read second. January 30, read third, passed.

By Mr. Hawkins—

s. 290. For the better protection of wood and timber.

January 22, read first, referred judiciary. January 23, reported favorably, read second, January 28, amendment adopted, read third, passed. February 16, house passed. February 18, signed, approved.

By Mr. Kilpatrick—

s. 291. To prevent families or any member thereof being disturbed at their homes, by the fireing off of pistols, guns, cannon crackers, fire crackers, or like noises.

January 22, read first, referred judiciary. January 23, reported favorably with amendment, read second. January 28, read third, passed.

s. 292. To require all public ginners or persons who gin cotton for toll to keep a book containing an accurate account of cotton ginned by them.

January 22, read first, referred agriculture.

By Mr. Cunningham—

s. 293. To incorporate the Southside Reading Club of Birmingham, Alabama.

January 22, read first, referred corporation. January 27, reported favorably, read second. February 3, read third, passed. February 12, house passed. February 13, signed, approved.

s. 294. To confirm the incorporation of the Birmingham Medical College, a corporation organized under the general laws of this State, to declare its powers and to confer upon it additional rights, privileges and powers.

January 22, read first, referred corporation. January 27, reported favorably, read second. February 3, read third, passed. February 16, house passed, signed, approved.

s. 295. To regulate the business of insurance in the State of Alabama.

January 22, read first, referred judiciary. February 3, without recommendment. February 11, amendment adopted and considered, postponed special order to-morrow. February 12, amendment read third, passed. February 15, house amendments read third, passed, senate concurs. February 18, signed, approved.

By Mr. Matthews—

s. 296. To fix the rate of the charges for recording and transcribing in the State and county offices in this State.

January 12, read first, referred finance and taxation. January 26, reported favorably, read second. February 2, indeffinitely postponed.

By Mr. Lee—

s. 297. To preserve order at the Pensacola District Camp Ground, in Escambia county, Alabama.

January 22, read first, referred local legislation. January 26, reported favorably, read second. January 30, read third, passed. February 15, house passed, signed. February 16, approved.

By Mr. Sayre—

s. 298. To make the anniversary of the birth day of Gen. Robt. E. Lee, a legal holiday.

January 22, read first, referred judiciary.

s. 299. To regulate the fees of the judge and clerk of the county court of Montgomery county.

January 22, read first, referred finance and taxation. January 26, reported favorably, read second.

By Mr. Moody—

s. 300. To amend an act entitled an act to amend section 1761 (2098) of the Code of Alabama, approved February 28, 1889.

January 22, read first, referred judiciary. January 23, reported favorably, read second. January 28, read third, passed,

By Mr. Abercrombie—

s. 301. To amend sections 2 and 20 of an act entitled "an act to establish a new charter for the town of Edwardsville, in Cleburne county," approved December 9th, 1896.

January 22, read first, referred municipal

and county organization. January 27, reported favorably, read second. February 3, read third, passed. February 16, house passed. February 18, signed, approved.

By Mr. Bethune—

s. 302. To provide for the disbursements of the monies derived from the agricultural department, and paid into the State treasury by the commissioner of agriculture, and the manner in which and the parties to whom said disbursements shall be made.

January 22, read first, referred agriculture. February 4, reported favorably, read second, calendar. February 10, substitute admitted amendment adopted, read third, passed.

By Mr. Day—

s. 303. To fix the compensation for recording registration and copying in the probate office in Morgan county, and Lawrence county.

January 23, read first, referred juciciary.

By Mr. Bethune—

s. 304. To amend section 2 of an act to declare and fixed the biginning and duration of the terms of several executive and judicial officers in the State, approved February 21st, 1893.

January 23, read first, referred to judiciary. January 26, reported favorably, read second. January 30, read third, passed.

s. 305. To punish any person who willfully injures any railroad track, or places any impediment or obstruction thereon.

January 23, read first, referred to judiciary. January 26, reported favorably, read second. January 28, read third, passed.

By Mr. Grant—

s. 306. To establish a separate school district to be known as the Whatley Public School Dis-

trict of Clarke county, Alabama.

January 23, read first, referred to education. January 26, reported favorably, read second. January 30, recommitted to education. Februry 3, read third, passed. February 16, house amends and passed. Senate concurres. February 18, signed; approved.

By Mr. Kilpatrick—

s. 307. To amend section 2732 of the Code of Alabama.

January 23, read first, referred to judiciary. February 5, reported favorably read second, calendar. February 10, read third, passed.

By Mr. Cunningham—

s. 308. To vacate a part of the plat of certain lands in Jefferson county, made by Elyton Land Company, a corporation in Jefferson county.

January 23, read first, referred to judiciary. January 29, reported favorably, read second.

By Mr. Boykin—

s. 309. To authorize Hugh Stewart, his heirs and assigns to establish, maintain and operate a public ferry on the Alabama river within the police jurisdiction of the city of Montgomery.

January 23, read first, referred to judiciary. February 1, reported favorably, read second. February 9, amended read third, passed. February 18, house passed, signed; approved.

s. 310. To prohibit the running at large of any bull of the cow kind in the county of Russell, and to provide for the punishment of the same.

January 23, read first, referred to judiciary. January 26, reported favorably, read second. January 30, read third, passed.

By Mr. Matthews—

s. 311. To give greater security in the transfer of

property, and more easily detect fraud in the acknowledgements thereof.

January 23, read first, referred to judiciary.

s. 312. To prevent the use of wheels of fortune, chance games and rafflings or devices of like kind.

January 23, read first, referred to judiciary. January 26, reported favorably, read second. January 30, read third, passed. February 13, house passed, signed; approved.

By Mr. Smith (by request)—

s. 313. To prevent cruelty to children.

January 23, read first, referred to judiciary.

s. 314. To provide for the control and education of children of the age of fourteen years and under who by reason of orphanage, or the neglect, crime, drunkensss or other vice of their parents, or for any other cause, may be growing up without education or salutary control and in circumstances exposing such children to lead disolute and vicious lives.

January 23, read first, referred to judiciary.

s. 315. To prohibit the employment of children of the age of twelve years and under, in any way whatever in any mechanical, mercantile or manufacturing establishment.

January 23, read first, referred to judiciary.

By Mr. Sayre—

s. 316. To fix the terms of office of the mayor, aldermen and other city officers of the city of Montgomery.

January 23, read first, referred to judiciary, January 26, reported favorably, read second, February 3, read third, passed.

s. 317. To empower the commissioner of agriculture to redeem from the Baldley Fertilizer Company fertilizer tags issued during the years 1891, 1892 and 1893, to said company aggregating five hundred, fifty-six dollars and twenty-five cents ($556.25).

January 23, read first, referred to finance and taxation.

s. 318. To regulate the passage of vehicles on the public roads of Montgomery county.

January 23, read first, referred to judiciary, January 26, reported favorably, read second. February 3, read third, passed. February 13, house passed. February 15, signed. February 15, approved.

s. 319. To further regulate the business of Building and Loan Associations.

January 23, read first, referred to judiciary. January 29, reported favorably, read second, February 3, read third, passed as amended. February 4, notice to move to reconsider vote. February 4, motion to reconsider was indefinately postponed. February 12, house amended passed. February 12, senate concurres; signed. February 12, approved.

By Mr. Hawkins--

s. 320. To incorporate the colored Baptist Brothers and Sisters Benevolent Society.

January 23, read first. referred to agriculture. January 26, reported favorably, read second, January 30, read third, passed. February 15, signed; approved.

By Mr. Robinson--

s. 321. To provide for the payment of clerks of the circuit courts in certain counties of the State of Alabama for keeping the minutes of the circuit courts in said State.

January 25, read first, referred to judiciary. January 28, reported favorably, read second, January 30, as amended read third, passed. February 18, signed; approved.

By Mr. Robinson—

s. 322. To create a separate school district to include the town of Springville, in St. Clair county.

January 25, read first, referred to education. January 26, reported favorably, read second. January 27, read third, passed. February 12, house passed, signed and approved.

By Mr. Nolen—

s. 323. To allow all ex-Confederate soldiers who are unable to make a living by manual labor to peddle in this State without license.

January 25, read first, referred to finance and taxation. January 26, reported favorably with substitute, read second. February 3, substitute adverse, recommitted to finance and taxation.

By Mr. Matthews—

s. 324. To regulate the collection of the poll tax in the Tuscumbia school district of Colbert county.

January 25, read first, referred finance and taxation. January 28, reported favorably, read second. February 3, read third, passed.

By Mr. Hawkins (by request)—

s. 325. To prohibit the adulteration of candies and confectioneries and the sale or other disposition thereof and the keeping of adulterated candies and confectioneries for sale or other disposition.

January 20, read first, referred public health. February 3, reported favorably, read second. February 9, read third, passed. February 16, house passed, signed and approved.

By Mr. Smith—

s. 326. To prevent the sale, barter, or permitting to run at large of animals known to have infectious or contagious diseases.

January 25, read first, referred agriculture. January 27, reported favorably, read second. February 3, read third, passed.

s. 327. To provide for the humane killing of animals

so maimed or crippled by railroad locomotives or cars as to be unable to procure food or drink for themselves.

January 25, read first, referred judiciary.

By Mr. Sowell (by request)—

s. 328. To regulate the management of building and loan associations in the State of Alabama, and to require semi-annual reports from said associations.

January 26, read first, referred judiciary.

By Mr. Day—

s. 329. To provide for the more efficient working, keeping up, repairing and improving the public roads and bridges, and opening and making new public roads and bridges in the county of Morgan; to locate, construct and build, within the limits of said county a system of public roads of a superior grade, to be known and designated as "county roads."

January 26, read first, referred local legislation. February 3, reported favorably, read second.

By Mr. Deens of Covington (by request)—

s. 330. For the relief of A. R. Powell and W. L. Howell, publishers of the Covington Times, for advertising certain State lands for sale.

January 26, read first, referred finance and taxation.

By Mr. Buchanan—

s. 331. To prohibit the sale or ortherwise disposing of any alcoholic, vinous, or malt liquors or other intoxicating drink within five miles of the Baptist and Methodist churches at Searight in Crenshaw county, Alabama.

January 26, read first, referred temperance. February 3, reported favorably, read second. February 9, read third, passed. February 11, signed.

By Mr. Bethune—

s. 332. To establish a branch agricultural experiment station and agricultural school for the colored race, to be located at Tuskegee, Macon county, Alabama, and to be run in connection with the Tuskegee Normal and Industrial Institute.

January 26, read first, referred agriculture.

By Mr. Hawkins—

s. 333. To establish a training and reform school for boys; to declare its purposes; to regulate the commitment thereto; to provide for the appointment of a board of control and their compensation; to prescribe their power and duties and provide for the government of said institution; to authorize the governor to commute the sentences of boys under 21 years of age, and to provide how the expense of maintaining the institution shall be paid, and to make appropriations therefor; to locate said institution at the Mount Vernon Barracks Military Reservation, and set apart said property to the use and benefit of said institution.

January 26, read first, referred penitentiary. February 3, without recommendations. February 10, special order for Friday after calling committee. February 12, amended, read third, passed. February 13, motion to reconsider lost.

By Mr. Sayre—

s. 334. To require fire insurance companies doing business in the county of Montgomery to pay annually two hundred dollars each to a fund for the benefit of the fire companies of the city of Montgomery, to provide a penalty for a failure or refusal to pay said fund, and to regulate the disposition of said fund.

January 26, read first, referred corporations. January 29, reported favorably, read

second with amendment, adopted.

s. 335. To confirm the incorporation of the Beauvoir Club of Montgomery, Alabama, and to enlarge the powers and capacities of said club.

January 26, read first, referred corporations. January 29, reported favorably, read second.

s. 336. To include certain territory in the corporate limits of the city of Montgomery.

January 26, read first, referred judiciary. January 28, reported favorably, read second. January 30, read third, passed. February 13, house passed, signed and approved.

By Mr. Hundley—

s. 337. To fix the time and regulate the holding of the circuit court of Madison county, Alabama.

January 26, read first, referred judiciary. January 28, reported favorably, read second. February 3, read third, passed. February 16, house passed, signed. February 18, approved.

By Mr. Smith—

s. 338. To regulate the practice in the circuit court of Moblile county, Alabama.

January 26, read first, referred judiciary. January 28, reported favorably, read second. February 3, read third, passed.

s. 339. To amend section 7 of an act entitled an act to confirm the incorporation and organization of the McGill Institute in the city of Mobile, and to define, declare and enlarge the powers of said corporation, approved December 9, 1896.

January 26, read first, referred corporations. January 29, reported favorably, read second. February 6, read third, lost. February 8, vote reconsidered, read third, passed. February 13, house passed. February 16, signed and approved.

By Mr. Sayre—

s. 340. To incorporate the Montgomery Trust Company.

January 26, read first, referred to corporation. January 27, reported favorably, read second. January 28, read third, passed. January 30, house passed. February 1, signed. February 2, approved.

s. 341. To ratify and confirm the charters of the National Building and Loan Association of Montgomery, Alabama, and the Banking, Building and Loan Company of Montgomery, Alabama, corporations duly organized and existing under the general laws of the State of Alabama, and to authorize them to issue paid up stock and loan money to their members.

January 26, read first, referred to judiciary. February 6, reported favorably, read second. February 10, amendment adopted, read third, passed. February 16, house amends and passed. February 18, house amends and passed, senate concurs and signed; approved.

By Mr. Sowell (by request)—

s. 342. To amend an act entitled an act to establish a new charter for the city of Huntsville, approved December 9th, 1896.

January 26, read first, referred to judiciary. February 2, reported favorably, read second. February 9, amended, read third, passed. February 15, house amends and passed, senate concurs. February 16, signed, approved.

By Mr. Moody—

s. 343. To amend section 3612 of the code of Alabama.

January 27, read first, referred to judiciary. February 9, read third, lost.

By Mr. Brown—

s. 344. To establish a separate school district, to be known as the Bethlahem school district, in Cullman county.

January 27, read first, referred to education. January 28, reported favorably, read second. January 30, recommitted to education. February 3, read third, passed.

s. 345. To regulate the terms of the grand juries in Blount and Cullman counties.

January 27, read first, referred to judiciary. January 29, reported favorably, read second. February 3, read third, passed.

s. 346. To require the payment of one-half of all statutory penalties into the State treasury and prescribe the duty of solicitors in reference thereto.

January 27, read first, referred to judiciary. February 2, reported favorably, read second. February 9, read third, passed.

s. 347. To establish a separate school district to be known as the Harmony school district in Cullman county.

January 27, read first, referred to education. January 28, reported favorably, read second. January 30, recommitted to education. February 3, read third, passed.

s. 348. To create a separate school district to be known as the Mount Zion school district in Cullman and Winston counties, Alabama.

January 27, read first, referred to education. January 28, reported favorably, read second. January 30, recommitted to education. February 3, read third, passed.

By Mr. Abercrombie—

s. 349. To amend section one of an act entitled "an act to amend an act entitled an act for the relief of needy confederate soldiers and sailors residents of Alabama, who from wounds or other causes, are now unable to earn a livelihood, and for the widows of such as were

killed or died in said war and have not since remarried," approved February 18th, 1895.

January 27, read first, referred to finance and taxation. February 2, reported favorably, read second. February 9, senate adopted, read third, passed.

By Mr. Thomason—

s. 350. To create a separate school district in Randolph county, Alabama, to be known as the Graham school district, and to define the boundaries thereof.

January 27, read first, referred to education. January 28, reported favorably, read second. January 30, recommitted to education. February 3, read third, passed.

By Mr. Bethune—

s. 351. To prohibit the sale, giving away or otherwise disposing of spirituous, vinous or malt liquors or intoxicating ciders, bitters or beverages, or fruits preserved in alcoholic liquors within the radius of three miles of Indian Creek Baptist church, in precinct No. 5, in Bullock county, Alabama.

January 27, read first, referred to temperance. January 28, reported favorably, read second. January 30, read third, passed. February 4, house passed, signed. February 6, approved.

By Mr. Sayre—

s. 352. To amend section 2844 of the code.

January 27, read first, referred to judiciary. January 29, reported favorably, read second. February 3, read third, passed.

s. 353. To amend section 4532 of the code of 1886.

January 27, read first, referred to penitentiary. February 2, reported favorably, read second. February 9, read third, passed.

By Mr. Pettus—

s. 354. To fix the time or period of redemption of any renewal or funding bonds which the governor of this State may issue.

January 27, read first, referred to finance and taxation. February 2, reported favorably, read second. February 6, read third, passed. February 11, signed. February 12, approved.

By Mr. Matthews—

s. 355. To fix the time of holding the circuit court in Marion county in this State, and regulate the proceedings in such court.

January 27, read first, referred to judiciary. February 2, reported favorably, read second.

s. 356. To create a separate school district in Marion county, Alabama, to be known as the Hamilton school district.

January 27, read first, seferred to education. January 28, reported favorably, read second. January 30, recommitted to education. February 3, read third, passed. Februery 13, house passed. February 13, senate concurs. February 13, signed. February 15, approved.

s. 357. To amend section 1 of an act to regulate the practice and proceedings in civil cases in the circuit courts of Colbert and Lauderdale counties, in this State, and in the supreme court on appeals from judgment rendered in such cases, approved February 18, 1895.

January 27, read first, referred to judiciary. February 2, reported favorably, read second.

By Mr. Brooks—

s. 358. To repeal an act entitled an act to regulate the payment of claims against the fine and forfeiture fund in Geneva county.

January 27, read first, referred to judiciary. January 28, reported favorably, read second. February 3, read third, passed.

s. 359. To provide for a charter for the town of Hartford, in Geneva county, Alabama.

January 27, read first, referred to municipal and county organizations. January 28, reported favorably, read second. February 3, read third, passed. February 8, signed. February 9, approved.

By Mr. Hogue—

s. 360. To provide for the calling of a convention to revise and amend the constitution of this State.

January 27, read first, referred to privileges and elections.

By Mr. Hall—

s. 361. To repeal an act to establish the city court of Bridgeport.

January 27, read first, referred to judiciary.

By Mr. Moody—

s. 362. To amend an act to establish the Tuscaloosa county law and equity court, approved December 9th, 1896, by striking out section 7 and inserting in lieu thereof a provision abolishing the present county court of Tuscaloosa county; by amending sections 5, 6, 15, 25 and 27; by adding section 30 providing that under certain circumstances the solicitor of this c ourt may procure assistance, and by adding section 31 requiring the solicitor of the court to attend preliminary investigations in certain cases.

January 27, read first, referred to judiciary. January 29, reported favorably, read second, substitue. February 6, read third, substitute adopted, passed. February 12, signed. February 12, house passed. February 12, approved.

By Mr. Thomason—

s. 363. To create a separate school district in the counties of Chambers and Tallapoosa to be known as Mountain Springs school district, and to define the boundaries thereof.

January 27, read first, referred to education. January 29, reported favorably, read second. January 30, recommitted to education. February 3, read third, passed. February 16, house passed. February 18, signed, approved.

By Mr. Cunningham—

s. 364. For the relief of indigent confederate soldiers and sailors.

January 28, read first, referred finance and taxation.

s. 365. For the better protection of inn or hotel keepers in the counties of Calhoun, Jefferson and Montgomery in the State of Alabama, and to enable them to enforce their liens on baggage, &c.

January 28, read first, referred judiciary.

By Mr. Day—

s. 366. To amend section (84) eighty-four of an act to regulate the management of State and county convicts, approved February 18th, 1895, so far as the same relates to Morgan and Lawrence counties, Alabama.

January 28, read first, referred penitentiary.

By Mr. Deens of Covington—

s. 367. To compel the repairing of public roads in Geneva, Covington and Conecuh counties by persons and corporations injuring the same and to establish a penalty for their failure to do so.

January 28, read first, referred local legislation. January 30, reported favorably, read

second. February 8, read third, passed. February 16, amendment adopted, house passed, senate concurs. February 18, signed, approved.

By Mr. Sowell (by request)—

s. 368. To require owners and operators of toll bridges and railroad bridges to extend equal privileges, along or upon such bridges, to all personal firms and corporations engaged in the construction or operation of telegraph or telephone lines.

January 28, read first, referred commerce and common carriers.

By Mr. Buchanan—

s. 369. To require all railroad companies in Alabama to keep guards or watchmen at bridges and trestles.

January 28, read first, referred commerce and common carriers. February 10, read second, calendar. February 12, read third, passed.

By Mr. Brown—

s. 370. To punish persons making false representations to obtain signatures to any petition or memorial.

January 29, read first, referred judiciary.

(By request)—

s. 371. To allow judges of probate compensation for services rendered in making out applications, taking affidavit of applicant to same, filing original and forwarding copies of the original application to the State auditor, of needy disabled confederate soldiers and the widows of such as were killed or died in the war.

January 29, read first, referred finance and taxation.

By Mr. Brown—

s. 372. To regulate the assessment, disposition and collection of the fine and forfeiture fund in the county of Blount.

January 29, read first, referred judiciary.

By Mr. Abercrombie (by request)—

s. 373. To better provide for the refitting and refurnishing of the office and library of the State superintendent of education of Alabama, with suitable cases, fixtures, files, furniture and appliances, for the records of said office.

January 29, read first, referred finance and taxation. February 2, reported favorably, read second. February 9, read third, passed. February 16, house passed.

By Mr. McElderry--

s. 374. To further regulate the holding circuit courts in Clay county, Alabama.

January 29, read first, referred judiciary. February 2, reported favorably, read second. February 9, read third, passed. February 16, house passed, signed, approved.

By Mr. Lee—

s. 375. To amend sections 1 and 3 of an act to incorporate the South Alabama & Gulf Railroad Company, approved Feb 18th, 1895.

January 29, read first, referred commerce and common carriers. February 10, read second, calendar. February 12, read third, passed. February 15, house passed, signed. February 16, approved.

By Mr. Kilpatrick (with notice)—

s. 376. For the relief of Joe Lambert, as tax collector for Wilcox county, Alabama.

January 29, read first, referred finance and taxation.

By Mr. Moody (by request)—

s. 377. To define who is liable to road service or road tax and repeal all acts in conflict with this act.

January 29, read first, referred education.

s. 378. To define who is subject to road service or road tax.

January 29, read first, referred education.

s. 379. To provide for the collection and disposal of the poll tax and for exemptions from said tax.

January 29, read first, referred education.

By Mr. Thomason—

s. 380. To regulate the sale of spirituous, vinous and malt liquors in the corporate limits of the town of Roanoke, in Randolph county, Alabama.

January 29, read first, referred temperance. February 3, reported favorably, read second. February 9, read third, passed. February 12, house passed, signed, approved.

By Mr. Deans of Shelby—

s. 381. To declare unlawful and void all arrangements, contracts, agreements, trusts or combinations, made with a view to lessen or which tend to lessen, free competition in the importation or sale of articles imported into this State, or in the manufacture or sale of articles of domestic growth or of domestic raw material; to declare unlawful and void all arrangements, contracts, agreements, trusts or combinations between persons or corporations, designed or which tend to advance, reduce or control the price of such product or article to producer or consumer of any such product or article; to provide for the forfeiture of the charter and franchise of any corporation, organized under the laws of this State,

violating any of the provisions of this act, to prohibit every foreign corporation, violating any of the provisions of this act from doing business in this State; to require the attorney-general of this State to institute legal proceedings against any such corporations violating the provisions of this act, and to enforce the penalties prescribed; to prescribe penalties for any violation of this act; to authorize any person or corporation, damaged by any such trust, agreement or combination, to sue for the recovery of such damage, and for other purposes.

January 29, read first, referred judiciary.

By Mr. Abercrombie—

s. 382. To create a separate school district in Cleburne county to be known as Oak Level school district.

January 29, read first, referred education. January 30, reported favorably, read second. January 30, recommitted education. February 8, read third, passed. February 16, house passed. February 18, signed, approved.

s. 383. To fix the time of holding the circuit court of Cleburne county, and to dispense with a grand jury in said court unless such jury be ordered by the judge thereof.

January 30, read first, referred to judiciary. February 1, reported favorably, read second. February 5, read third, passed. February 15, house passed, signed. February 16, approved.

By Mr. Sayre—

s. 384. To incorporate the Montgomery Real Estate Investment and Security Company.

January 30, read first, referred corporations. February 3, reported favorably, read second.

By Mr. Brown (by request)—

s. 385. To authorize the commissioners of Blount county to build a jail house at Bangor.

January 30, read first, referred judiciary.

s. 386. To further regulate the trial of misdemeanors in the county of Blount.

January 30, read first, referred judiciary.

By Mr. Abercrombie—

s. 387. To incorporate Peaceburg Camp Ground in Calhoun county to authorize and empower the trustees, cabin holders and tent holders to pass and enforce rules and regulations to maintain and preserve good order within one mile of said camp grounds and to control its management.

January 30, read first, referred corporations. February 3, amended, reported favorably, read second. February 12, amendment adopted, read third, passed. February 16, house amends, passed, senate concurs. February 18, signed, approved.

By Mr. Sayre—

s. 388. To further regulate elections in the State of Alabama.

January 30, read first, referred privileges and elections.

By Mr. Moody—

s. 389. To amend an act entitled an act to provide for the payment of claims against the fine and forfeiture fund of Tuskaloosa county, approved February 1st, 1895.

January 30, read first, referred finance and taxation. February 2, reported favorably, read second. February 9, read third, passed.

s. 390. To dispose of the fees and compensation of the clerk of the circuit court and sheriff of Tuskaloosa county, and to prescribe the mode of compensating said clerk and sheriff.

January 30, read first, referred finance and taxation. February 2, reported favorably, read second. February 9, read third, passed.

By Mr. Robinson—

s. 391. To repeal an act entitled an act to regulate the trial of misdemeanors in St. Clair county, Alabama, approved 18th of February, 1891.

February 1, read first, referred judiciary. February 5, reported favorably, read second, calendar. February 10, read third, passed. February 15, house passed, signed. February 16, approved.

By Mr. Thomason (by request)—

s. 392. To repeal an act entitled an act to incorporate the town of Rock Mills, Randolph county, Alabama, approved December, 1896.

February 1, read first, referred municipal and county organizations.

By Mr. Thomason—

s. 393. To allow bonded constables of Randolph county the same fees as the sheriff in certain cases.

February 1, read first, referred judiciary.

By Mr. Hollis--

s. 394. To regulate trials in civil causes in courts of justice of the peace and notaries public who are ex-officio justice of the peace in Fayette county.

February 1, read first, referred judiciary. February 5, reported favorably, read second, February 10, read third, passed. February 16, house amends, passed, senate concurs. February 18, signed and approved.

By Mr. Moody—

s. 395. To authorize the court of county commissioners of Tuskaloosa county to issue and sell bonds of said county to an amount not ex-

ceeding fifteen thousand dollars, for the purpose of paying the interest and principal of the indebtedness incurred in building the present bridge across the Warrior river at Tuskaloosa, Alabama.

February 1, read first, referred judiciary. February 10, read second, calendar. February 12, read third, passed. February 15, house passed, signed. February 16, approved.

By Mr. Brown (by request)—

s. 396. To amend section two of an act entitled an act to establish a new charter for the city of Cullman, Alabama, approved December 12th, 1890.

February 1, read first, referred municipal and county organizations.

s. 397. To incorporate the Home Mutual Fire Insurance Company of Alabama, and to define its rights, powers, franchises and duties.

February 1, read first, referred commerce and common carriers.

By Mr. Cunningham—

s. 398. For the relief of Mack Homes by paying to him $6600.00 to compensate him for the loss of certain lands, towit: The north half of southwest quarter of section 4, township 17 south, range 3 west, in Jefferson county, Alabama.

February 1, read first, referred finance and taxation.

s. 399. To amend an act entitled an act to fix the time and to define the terms for holding the circuit court in the several counties of the tenth judicial circuit.

February 1, read first, referred judiciary. February 5, reported favorably, read second, calendar. February 10, read third, passed.

s. 400. To amend section 4 of an act entitled an act "to amend an act entitled an act to establish the city court of Birmingham," approved December 9th, 1884.

February 1, read first, referred judiciary. February 5, reported favorably, read second, calendar. February 10, read third, passed. February 16, house passed. February 18, signed and approved.

s. 403. To ratify and amend the incorporation of "Steiner Brothers," a corporation organized to do a banking business under the general laws of the State of Alabama, so as to confirm in said corporation all the rights, powers and privileges given by law to such corporations, and also to confer additional powers upon said corporation.

February 1, read first, referred commerce and common carriers. February 11, reported without recommendation, read second, calendar.

By Mr. Robinson—

s. 402. To amend section two of an act approved February 10th, 1891, incorporating the city of Ashville in St. Clair county, Alabama.

February 2, read first, referred judiciary. February 6, reported favorably, read second. February 10, read third, passed. February 18, signed and approved.

By Mr. Abercrombie (by request)—

s. 403. To create a separate school district in Etowah and Calhoun counties, to be known as the Coosa Valley school district.

February 2, read first, referred education. February 4, reported favorably, read second, calendar. Febuary 10, read third, passed.

By Mr. Thomason—

s. 404. To authorize Dr. R. C. Stevens, graduate of the Southern Medical College of Atlanta, Ga., to practice medicine in the county of Randolph.

February 2, read first, referred judiciary.

By Mr. Brooks—

s. 405. To establish a separate school district in Geneva county, Alabama, to be known as the Dundee school district.

February 2, read first, referred education. February 4, reported favorably, read second, calendar. February 10, read third, passed. February 16, house passed. February 18, signed and approved.

By Mr. Matthews—

s. 406. To declare R. L. White, J. B. Cantrell and W. C. McKay citizens of Marion county.

February 2, read first, referred local legislation.

By Mr. Deans of Shelby—

s. 407. To authorize and empower the commissioners' court of Shelby county to borrow money in the name and for the use of the county, and to bind the county for the payment of the same, not exceeding in amount five thousand dollars.

February 2, read first, referred finance and taxation. February 4, reported favorably, read second, calendar. February 10, read third, passed. February 16, house passed. February 18, signed and approved.

s. 408. To authorize the board of mayor and council of the city of Calera to issue bonds of said city for an amount not exceeding ten thousand ($10,000.00) dollars, for the purpose of building and furnishing public school buildings in the said city.

February 2, read first, referred finance and taxation. February 4, reported favorably, read second, calendar. February 9, amended, adopted, read third, passed.

By Mr. Brooks—

s. 409. To make it lawful to sell or otherwise dispose

of spirituous, vinous or malt liquors and intoxicating beverages within the corporate limits of the town of Abbeville, Henry county, Alabama.

February 2, read first, referred temperance.

By Mr. Brown—

s. 410. To amend section two of an act entitled an act to provide for the holding of regular terms of circuit and chancery courts when the judge or chancellor fails to attend, or when impeachment charges are pending against such judge or chancellor, approved February 18th, 1895.

February 2, read first, referred judiciary.

s. 411. To create the office and define the jurisdiction, duties and powers of supernumerary judge.

February 2, read first, referred judiciary.

s. 412. To authorize judges of the circuit, city, criminal and inferior courts of common law jurisdiction in the State of Alabama to receive verdicts of juries on Sunday, and to extend the term in such courts for the purposes of receiving such verdicts.

February 2, read first, referred judiciary.

By Mr. Brewer—

s. 413. To amend sections 1 and 6 of an act entitled an act to incorporate the town of Fort Deposit, in the county of Lowndes, approved February 13, 1891.

February 2, read first, referred municipal and county organizations. February 3, reported favorably, read second. February 9, read third, passed. February 16, house passed. February 18, signed and approved.

By Mr. Bethune—

s. 414. To authorize the court of county commissioners of Bullock county to issue and sell bonds of said county to an amount of $10,000, for the purpose of repairing the present jail of

Bullock county, or building a new jail for the said county.

February 2, read first, referred finance and taxation. February 3, reported favorably, read second. February 5, amended, adopted, read third, passed. February 12, house passed, signed, approved.

By Mr. Sayre—

s. 415. To be entitled an act making it unlawful for fire, fire marine and marine insuarance companies not organized under the laws of the State of Alabama, but legally licensed to transact fire, fire marine and marine insurance therein and doing business therein through regularly commissioned agents, to place or cause to be placed insurance against loss by fire on property in this State except through agents located in the State legally authorized to write policies of insurance therein, and prescribing penalties for violation of same, also to prescribe further conditions to be complied with by fire, fire marine and marine insurance companies before receiving licenses to do business in this State.

February 2, read first, referred corporations.

By Mr. Hawkins—

s. 416. To amend section 4 of an act entitled an act to establish a board of revenue for Barbour county, approved February 18th, 1895.

February 3, read first, referred local legislation. February 5, reported favorably, read second, calendar. February 10, read third, passed. February 16, signed and approved.

By Mr. Moody—

s. 417. To amend an act approved February 12, 1879, entitled "an act to establish 'The Warrior Agricultural District,' to provide for the securing of the same, and the management of its affairs."

February 3, read first, referred agriculture. February 5, reported favorably; read second, calendar. February 10, read third, passed. February 15, house passed, signed. February 16, approved.

By Mr. Cunningham—

s. 418. To regulate the purchase of books and stationery by county officers in the State of Alabama.

February 3, read first, referred, printing.

s. 419. To authorize, ratify and confirm the schedule of licenses for the city of Birmingham for the year 1897 and the ordinances of the board of mayor and aldermen of said city adopting and establishing the same.

February 3, read first, referred, finance and taxation. February 6, reported favorably, read second, calendar. February 10, read third, passed. February 16, house amendments and passed. February 18, signed, vetoed as H. 1040 had already been approved and of same purpose.

s. 420. To prescribe the manner of filling vacancies in the office of mayor and aldermen of the city of Birmingham.

February 3, read first, referred, municipal and county organizations. February 5, reported favorably, read second, calendar. February 10, read third, passed. February 16, house passed. February 18, signed, approved.

s. 421. To amend the charter of the city of Birmingham so as to change and establish the time for holding elections for mayor and aldermen of said city; to alter, define and fix the term of office of the present mayor and aldermen of said city, and the mayor and aldermen hereafter to be elected; and to provide for the drawing of lots to determine which of the present aldermen of said city shall hold for the short term and long term respectively.

February 3, read first, referred agriculture. February 5, reported favorably, read second, calendar. February 10, read third, passed. February 15, house passed, signed. February 16, approved.

By Mr. Cunningham—

s. 418. To regulate the purchase of books and stationery by county officers in the State of Alabama.

February 3, read first, referred, printing.

s. 419. To authorize, ratify and confirm the schedule of licenses for the city of Birmingham for the year 1897 and the ordinances of the board of mayor and aldermen of said city adopting and establishing the same.

February 3, read first, referred, finance and taxation. February 6, reported favorably, read second, calendar. February 10, read third, passed. February 16, house amendments and passed. February 18, signed, vetoed as H. 1040 had already been approved and of same purpose.

s. 420. To prescribe the manner of filling vacancies in the office of mayor and aldermen of the city of Birmingham.

February 3, read first, referred, municipal and county organizations. February 5, reported favorably, read second, calendar. February 10, read third, passed. February 16, house passed. Febrnary 18, signed, approved.

s. 421. To amend the charter of the city of Birmingham so as to change and establish the time for holding elections for mayor and aldermen of said city; to alter, define and fix the term of office of the present mayor and aldermen of said city, and the mayor and aldermen hereafter to be elected; and to provide for the drawing of lots to determine which of the present aldermen of said city shall hold for the short term and long term respectively.

second, calendar. February 10, read third, passed. February 16, house passed. February 18, signed, approved.

s. 427. To regulate the volunteer military forces of the State of Alabama.

February 3, read first, referred, military. February 11, reported favorably, read second, calendar.

By Mr. Cunningham—

s. 428. To repeal the charter of the town of Irondale, in the county of Jefferson.

February 4, read first, referred, municipal and county organization.

s. 429. To incorporate the Southwestern Life and Trust Company, and defining its business and powers.

February 4, read first, referred, corporations. February 5, reported favorably, read second, calendar. February 10, read third, passed. February 12, house passed, signed. February 15, approved.

By Mr. Buchanan—

s. 430. To fix the rates of passenger fares on the incorporated railroads of Alabama.

February 4, read first, referred, commerce and common carriers.

By Mr. Sayre—

s. 431. To authorize the Adams Street Baptist Church of Montgomery, Alabama, to borrow the sum of fifteen hundred dollars, and to secure the payment of the same by a mortgage upon the real estate belonging to the said church.

February 4, read first, referred, judiciary. February 6, reported favorably, read second, calendar. February 10, read third, passed. February 15, approved.

By Mr. Cunningham—

s. 432. To create a board of police commissioners for the city of Birmingham; to provide for their election by the mayor and aldermen of Birmingham, and to prescribe the powers and duties of the same, and to better regulate the police department of said city.

February 4, read first, judiciary.

By Mr. Sowell, (with notice)—

s. 433. To relieve Martha Leslie Davis from the disabilities of non-age.

February 5, read first, referred, judiciary. February 6, reported favorably, read second. February 10, read third, passed. February 16, house passed. February 18, signed, approved.

s. 434. To relieve Gertrude Davis of Limestone county, from the disabilities of non-age.

February 5, read first, referred, judiciary. February 6, reported favorably, read second. February 10, read third, passed. February 16, house passed. February 18, signed, approved.

By Mr. Deans of Shelby—

s. 435. To amend subdivision and paragrap 5 of section 26 of an act entitled an act to establish a new charter for the city of Calera, approved February 21, 1893.

February 5, read first, referred, temperance. February 9, reported favorably, read second. February 10, read third, passed.

s. 436. To amend an act entitled an act to regulate the trial of misdemeanors in Shelby county, approved December 9th, 1896.

February 5, read first, referred, judiciary. February 6, reported favorably, read second. February 10, read third, passed. February 16, house passed (amendments). February 18, signed, approved.

By Mr. Matthews—

s. 437. To create a separate school district in the county of Franklin, to be known and called the Burleson public school district, and to define the boundaries thereof.

February 5, read first, referred, education. February 6, reported favorably, read second. February 10, read third, passed.

By Mr. Moody—

s. 438. To confer additional powers on the trustees of the Alabama Central Female College located at Tuscaloosa, Alabama.

February 5, read first, referred, education. February 6, reported favorably, read second. February 10, read third, passed. February 16, house passed. February 18, house amendments, read third, passed, senate concurs. February 18, signed, approved.

By Mr. Sayre—

s. 439. To confer upon persons, firms, and private and municipal corporations, owning, constructing and operating water works in this State for the purpose of supplying water to any city town, municipality or community, or the inhabitants thereof, or for any other public use, the right, power and authority to acquire and take real estate, water rights and easements necessary, suitable and proper for such purposes, and prescribing the manner of proceeding in the exercise thereof.

February 5, read first, referred, judiciary. February 9, reported favorably with amendment, read second. February 11, amendment adopted, read third, passed. February 16, amended, house passed. February 16, senate concurs. February 18, signed, approved.

s. 440. To confer upon corporations supplying water to cities, towns or villages the right to buy

and acquire or condemn real estate, the acquisition of which may be necessary to prevent the pollution of their water supply,

February 5, read first, referred, judiciary. February 9, reported favorably, read second. February 10, read third, passed. February 18, house passed, signed, approved.

s. 441. To punish any person who pollutes or contaminates water supp'ied to cities and towns of the State.

February 5, read first, referred, judiciary. February 6, amendment reported favorably, read second. February 10, amendment adopted, read third, passed. February 16, house passed. February 18, signed, approved.

By Mr. Hawkins—

s. 442. To authorize the board of intendent and councilmen of the town of Abbeville, Henry county, to issue and negotiate bonds of said town, to an amount not exceeding four thousand dollars for the completion and equipping of the Southeast Alabama Agricultural School building now being erected in said town and to provide for the interest and principal on said bonds.

February 5, read first, referred, agriculture. February 6, reported favorably, read second, calendar. February 10, read third, passed. February 16, house passed. February 18, signed, approved.

By Mr. Brown (by request)—

s. 443. To amend section eight of an act entitled an act to provide a system of water works for the city of Cullman; to issue bonds for said purpose, and to create a board of water works commissioners to manage, maintain and control the said water works.

February 5, read first, referred, municipal and county organizations.

By Mr. Brown—

s. 444. To regulate the compensation of solicitors of circuit, city, criminal and other courts of record in this State.

February 5, read first, referred, judiciary.

s. 445. To establish a separate school district to be known as the Union school district, in Blount county, Alabama.

February 5, read first, referred, education. February 6, reported favorably, read second. February 10, read third, passed.

By Mr. Cunningham—

s. 446. To incorporate the People's Mutual Fire Insurance Company.

February 5, read first, referred, corporations. February 10, read second, calendar.

By Mr. Pettus—

s. 447. To provide for the removal of suits of unlawful detainer and forcible entry and detainer from the courts of justice of the peace and other officers to the circuit court and to prescribe rules of practice and evidence in such cases in the circuit court.

February 5, read first, referred, judiciary. February 6, reported favorably, read second. February 10, read third, passed. February 15, house amendments and passed. February 15, senate concurs. February 16, signed. February 16, approved.

By Mr. Pettus—

s. 448. To require public officials in the State of Alabama to be commissioned before entering on the duties of their offices and to designate the fee to be paid therefor.

February 6, read first, referred to judiciary. February 10, read second, calendar. February 12, read third, passed.

By Mr. Boykin—

s. 449. To provide and to regulate the appropriation to the University of Alabama; and to enable deserving and indigent students in the several counties of the State, to obtain an education at that iustitution.

February 6, read first, referred to education. February 9, referred, with substitute, read second. February 10, special order Thursday, 10:30 o'clock A. M. February 11, amendment adopted, read third, passed. February 11, motion to reconsider, lost. February 13, house passed. February 13, signed.

By Mr. Abercrombie—

s. 450. To amend section three of an act entitled "an act to amend and revise the charter of the town of Oxanna," approved February 18th, 1891.

February 8, read first, referred to education. February 9, reported favorably, read second. February 10, read third, passed. February 18, house passed. February 18, signed and approved.

By Mr. Hundley—

s. 451. To regulate certificates for the acknowledgment of married women, to conveyances where two or more join in the execution thereof.

February 8, read first, referred to judiciary. February 10, read second, calendar. February 12, read third, passed. February 18, house passed.

By Mr. Brooks (by request)—

s. 452. To amend section five of an act entitled an act to incorporate the town of Abbeville, in the county of Henry, approved February 8th, 1892.

February 8, read first, referred to municipal and county organizations. February 11, reported favorably, read second, calendar. February 13, read third, passed. February 18, signed and approved.

By Mr. Brooks—

s. 453. To establish a charter for the town of Dundee, in Geneva county.

February 8, read first, referred to municipal and county organizations. February 11, reported favorably, read second, calendar. February 13, read third, passed. February 18, signed.

By Mr. Matthews (by request)—

s. 454. To prohibit the sale or other disposition of alcoholic, spirituous, vinous or malt liquors, or intoxicating bitters or beverages, within ten miles of the Alabama Industrial School building, at Montevallo, in Shelby county, Alabama.

February 8, read first, referred to temperance. February 10, read second, calendar. February 12, read third, passed.

By Mr. Hall (by request)—

s. 455. To constitute the town of Abbeville a separate school district and to provide for the management of the public schools of said district.

February 8, read first, referred to education. February 9, reported favorably, read second. February 10, read third, passed. February 16. house passed. February 18, signed and approved.

By Mr. Brooks—

s. 456. To prohibit the selling, giving away or otherwise disposing of spirituous or malt liquors, intoxicating beverages or bitters or fruits preserved in alcoholic liquors within six miles by the most commonly travelled route of the

Dothan high school except in the town of Dothan or other incorporated towns or cities.

February 8, read first, referred to temperance. February 9, reported favorably with amendment, read second.

By Mr. Hollis (by request)—

s. 458. To fix the amount of city licenses on wholesale or retail dealers in spirituous, vinous or malt liquors, within the corporate limits of Jasper, Alabama.

February 9, read first, referred to temperance. February 10, read second, calendar. February 12, amendment read third, passed. February 15, house passed. February 15, signed. February 16, approved.

By Mr. Sayre—

s. 459. To incorporate the Montgomery-Elmore Bridge and Improvement Company.

February 9, read first, referred to corporations.

By Mr. Pettus (by request)—

s. 460. To prevent stock from running at large in section 12, township 19, range 11, lying partly in Dallas county, and partly in Autauga county, and in all of sections 13, 14, 21, 22, 27, 28 and in the east half of section 15, and in the north half of sections 23, 24, 33 and 34, all in township 19 and range 11, in Dallas county, and in all that part of the south-west quarter of section 18, and in all that part of the north-west quarter of section 19, all in township 19, range 12, lying west of Mulberry creek, in Dallas county.

February 9, read first, referred to judiciary. February 13, reported favorably, read second, calendar. February 15, read third, passed.

By Mr. Pettus—

s. 461. To provide for abstracts of the record in civil cases by consent of parties on appeals to the supreme court of Alabama.

February 9, read first, referred to judiciary.

By Mr. Cunningham—

s. 462. To submit to the people of the State at the general election to be held on the first Monday in August, 1898, for representatives, for their consideration, an amendment to section seven, article eleven of the constitution, providing a special tax of one-half of one percentum for the city of Birmingham, to be applied to the payment of interest on the bonds of said city, and for a sinking fund to pay off said bonds at the maturity thereof.

February 9, read first, referred to judiciary. February 10, read second, calendar. February 12, amendment read third, passed. February 16, house passed. February 16, signed and approved.

By Mr. Hundley—

s. 463. To authorize the court of county commissioners of Madison county, to regulate the weight and tonnage of loaded and empty wagons and other vehicles passing over the public roads of said county.

February 9, read first, referred to municipal and county organizations. February 10, read second, calendar.

By Mr. Buchanan—

s. 464. To prohibit the selling or giving away of spirituous, vinous, or intoxicating liquors in beat 17 in Coffee county, Alabama.

February 9, read first, referred to temperance. February 10, substitute read second,

calendar. February 12, substitute adopted, read third, passed. February 16, house passed. February 18, signed.

By Mr. Hundley—

s. 465. To regulate the number of bailiffs in attendance at each term of the circuit court of Madison county.

February 9, read first, referred to judiciary. February 10, read second, calendar. February 12, read third, passed. February 18, housed passed, signed.

By Mr. Thomason—

s. 466. To establish a separate school district to be known as the Roanoke Normal College District, in Randolph county.

February 9, read first, referred to education. February 11, reported favorably, read second, calendar. February 12, read third, passed. February 16, house passed, signed February 18, approved.

By Mr. Hogue—

s. 467. To repeal sections 1120, 1121, 1122, 1123, 1124, 1125, 1126, 1127, 1128, 1129, 1130, 1131, 1132, 1133, 1134, 1135, 1136, 1137, 1138, 1139, 1140, 1141, 1142 1143, of the code of 1886.

February 9, read first, referred to commerce and common carriers.

By Mr. Kilpatrick (by request)—

s. 468. To further define general assignments and to prevent the fraudulent disposition of property.

February 9, read first, referred to judiciary. February 10, read second, calendar. February 12, amended, read third, passed. February 15, house passed, signed. February 16, approved.

By Mr. Sayre—

s. 469. To relieve Julia C. Wilson's real property of taxation on condition that the same be used for the establishment of a convalescent home for poor children in the city of Montgomery.

February 9, read first, referred to finance and taxation. February 12, read second, calendar. February 16, amendment adopted, read third, passed. February 18, house amends and pass, senate concurs, signed and approved.

s. 470. To incorporate the town of Pike Road, in Montgomery county.

February 9, read first, referred to corporations.

By Mr. Brown—

s. 471. To establish a board of revenue in lieu of the court of county commissioners, for Cullman county, and to define the powers and duties of said board.

February 9, read first, referred to judiciary. February 10, read second, calendar. February 12, amendment read third, passed. February 16, house passed. February 18, signed and approved.

By Mr. Pettus—

s. 472. To amend an act to authorize the secretary of State to sell the volumes of the reports of the decisions of the supreme court of Alabama now in his possession, approved February 2d, 1893.

February 10, referred to judiciary, read first.

By Mr. Cunningham—

s. 473. To incorporate the Alabama Steel and Ship Building Company.

February 10, read first, referred to corporations. February 11, reported favorably,

read second, calendar. February 12, read third, passed. February 16, house passed. February 18, signed and approved.

By Mr. Saye—

s. 474. To amend section 2367 (2745) of the code of Alabama.

February 10, read first, referred to judiciary. February 11, reported favorably, read second, calendar. February 12, read third, passed. February 16, house passed. February 18, signed and approved.

By Mr. Rogers—

s. 475. For the relief of M. H. Caldwell, sheriff of Sumter county.

February 10, read first, referred to finance and taxation.

s. 476. For the relief of David B. Dunlap, a man of unsound mind, authorizing his brother, John J. Dunlap, to sell his undivided interest in a tract of land, and use the proceeds in paying his expenses at the Insane Hospital at Tuscaloosa.

February 10, read first, referred to judiciary. February 10, reported favorably, read second, calendar. February 12, read third, passed.

By Mr. Day (by request)—

s. 477. To relieve John T. Hawk, of Morgan county, of the bonds of matrimony existing between him and Emily M. Hawk.

February 10, read first, referred to judiciary.

By Mr. Pettus—

s. 478. To adopt a code of laws for the State of Alabama.

February 10, read first, referred senate code committee. February 11, reported fa-

vorably, read second, calendar. February 12, amendment read third, passed. February 15, house passed. February 15, signed. February 16, approved.

s. 479. To provide for the publication and distribution of the code of Alabama.

February 10, read first, referred special committee of members of senate code committee. February 11, reported favorably, read second, calendar. February 12, read third, passed. February 15, house passed. February 16, signed. February 18, approved.

By Mr. Moody—

s. 480. To incorporate the Bethel stock law district for the purpose of preventing stock from running at large in said district situated in Tuscaloosa county, Alabama.

February 7, read first, referred corporations. February 11, reported favorably, read second, calendar. February 12, read third, passed. February 18, house passed, signed, approved.

By Mr. Brown, (by request).

s. 481. To authorize and legalize the manufacture and sale of wines made of grapes and berries in Walker county, Alabama.

February 11, read first, referred temperance.

By Mr. Thomason—

s. 482. To prevent stock from running at large in sections twenty-eight and thirty-three, township twenty, range ten in Randolph county.

February 11, read first, referred local legislation. February 12, read second, calendar. February 16, read third, passed. February 18, house passed, signed, approved.

By Mr. Cunningham—

s. 483, To regulate the profits and commissioners on

goods, wares, merchandise or any kind of personal property, sold to or bartered or exchanged with employees or contractors with any person, firm, company or corporation engaged in mining or manufacturing in Jefferson county, Alabama.

February 11, read first, referred corporation.

s. 484. To amend section 3 of an act entitled an act to change the name of the town of Pratt Mines in Jefferson county, and establish a new charter t erefor.

February 11, read first, referred municipal and county organization. February 12, read second, calendar. February 13, read third, passed. February 16, house passed. February 18, signed, approved.

By Mr. Hundley—

s. 485. To amend section 12 of an act entitled an act to provide for the more efficient assessment and collection of taxes in the State of Alabama, approved February 3, 1897.

February 11, read first, referred finance and taxation. February 13, adopted, read second, calendar. February 15, read third, tabled.

By Mr. Bethune—

s. 486. To relieve Alice Phillips, a minor under 18 years of age, of the disabilities of non-age.

February 11, read first, referred judiciary. February 12, read second, calendar. February 13, read third, passed. February 16, house passed. February 18, signed, approved.

By Mr. Matthews—

s. 487. To amend an act to incorporate the town of Hamilton, in Marion county, and the State of Alabama, approved Dec. 5th, 1896.

February 11, read first, referred corporation. February 12, read second, calendar. February 16, read third, passed. February 18, house passed, signed, approved.

By Mr. Deans of Shelby—

s. 488. To amend an act to prohibit stock from running at large in beats 1, 2, 3, 4, 5, 6, 7, 8. 11, 12, 13, and 15 Elmore county, Alabama, approved January 28th, 1897.

February 11, read first, referred agriculture. February 13, adversely, read second, calendar. February 15, report on committee concurred in.

By Mr. Day—

s. 489. To repeal an act entitled an act to provide for the more efficient assessment and collection of taxes in the State of Alabama, approved February, 1897.

February 11, read first, referred judiciary. February 13, reported favorably, read second, calendar. February 15, recommended finance and taxation.

By Mr. Hall—

s. 490. For the improvement of roads and bridges in Marshall county, Alabama.

February 12, read first, referred local legislation. February 13, reported favorably, read second, calendar.

By Mr. Thomason—

s. 491. To amend section one of an act entitled an act to authorize the court of county commissioners of Randolph county to issue bonds for the purpose of erecting a new court house for said county, at Wedowee, Alabama, and to levy a tax to liquidate the debt to accrue thereby approved 1897.

Febrary 12, read first, referred local legis-

lation. February 13, reported favorably, read second, calendar. February 15, read third, passed. February 18, signed.

By Mr. Cunningham—

s. 492. To authorize the board of mayor and aldermen of the town of Woodlawn, to issue funding bonds of said town for the purpose of paying the delinquent coupons and interests on its present bonded indebtedness. February 12, read first, referred municipal and county organization. February 13, reported favorably read second, calendar. February 15, read third, passed. February 18, house passed, signed, approved.

By Mr. Sayre—

s. 493. To confer certain powers on the Columbus Water Works Company;

February 12, read first, referred corporation. February 13, reported favorably, read second; calendar. February 16, read third, passed. February 18, house passed, signed, approved.

By Mr. Brown, [by request]—

s. 494. To prevent any stallion over two years old or jack ass over two years old, or boar over six months old from running at large in Cullman county.

February 12, read first, referred agriculture. February 13, reported favorably read second, calendar. February 15, read third, passed.

By Mr. Day—

s. 495. To change the boundary line between the counties of Blount and Cullman.

February 13, read first, referred judiciary.

HOUSE BILLS.

Considered by Senate 1896-97.

By Mr Smith of Dallas—

H. 4. To make appropriations for the ordinary expenses for the executive, legislative and judicial departments of the State, for interest on the public debt and for public schools.

November 28, read first referred to finance and taxation. December 1, reported favorably, with amendments read second, calendar, December 2, amended, read third, passed. December 3, voted on passage, reconsidered and read third, passed. December 4, house non-concurres, committee conference. December 8, conference report concurred in. December 9, signed.

By Mr. Beeson—

H. 5. To establish a separate school district in Etowah county, and to define the boundaries thereof.

December 4, read first, referred to education. December 7, reported favorably, read second, calendar. December 8, read third, passed. December 8, signed.

By Mr. McClellan—

H. 6. To exempt township trustees of public schools in the counties of Fayette, Colbert, Lauderdale, Tallapoosa, Morgan, Bullock, Randolph, Elmore, Pickens, Marion, and Baldwin from poll tax and public road duty.

November 20, read first, referred to education. November 24, reported favorably, read second, calendar. November 25, amended recommitted to commerce and common carriers.

By Mr. McCollum—

H. 7. To amend section 3407 of the code of Alabama, so far as the same applies to Fayettee county. November 23, read first, referred to judiciary. November 25, reported favorably, read second. November 27, recommitted to judiciary.

H. 8. To repeal an act entitled an act to levy and collect a tax on dogs in Fayettee county approved February 21st, 1893.

December 1, read first, referred to finance and taxation. December 3, reported favorably, read second, calendar. December 5, read third, passed. December 7, signed.

H. 9. To repeal an act, entitled an act to provide for the protection and preservation of game, animals and birds in Fayettee county.

November 21, read first, referred to local legislation. November 25, reported favorably, read second. November 27, read third, lost. November 28, voted on passage reconsidered. December 1, read third, passed. December 2, signed.

By Mr. Waller of Hale—

H. 10. To amend section 3875 of the Code of Alabama.

November 23, read first, referred to judiciary. November 25, reported favorably read second. November 27, read third, passed. November 28, voted on passage reconsidered and ordered third reading, recomitted to judiciary.

By Mr. Nesmith—

H. 11. To provide for the registration and lien of judgment for the payment of money in the courts of justice of the peace in Lamar, Calhoun, Monroe, Barbour, Walker, Baldwin, Etowah, Macon, DeKalb, Fayette, Bibb, Sumter, Tallapoosa, Chilton and Madison counties.

November 23, read first, referred to judiciary. November 28, reported favorably, read second. November 30, amended read third, passed. December 1, reconsidered amended, read third, passsed. December 4, house non-concurres, committee conference. December 7, reported conference committee concurred in. December 9, signed.

By Mr. Davis—

H. 12. To incorporate the town of Hamilton in the county of Marion and State of Alabama.

November 18, read first, referred to municial and county organization. November 30, reported favorably and read second, calendar. December 1, amended read third, passed. December 4, house concurres. December 5, signed.

By Mr. Kennamer—

H. 15 To regulate the trial of misdemeanors in the county of Marshall.

November 23, read first, referred to judiciary.

By Mr. Sheldon—

H. 16. To amend section one of an act to protect outstanding crops in the county of Mobile, approved February 27, 1889.

November 21, read first, referred to local legislation. November 25, reported favorably, read second. November 27, read third, passed. November 28, signed.

H. 17. To amend section 1 and 2 of an act to change the mode of compensating the solicitor for the county of Mobile, approved December the 9th, 1886.

November 23, read first, referred to judiciary. November 28, reported favorably, read second. November 30, read third, passed. December 2, signed.

H. 18. To amend section 1 of an act to provide for a

county solicitor for Mobile county, approved February the 8th, 1879.

December 5, read first, referred to judiciary, December 8, reported adversely, read second, calendar. December 9, adverse concurred in.

By Mr. Delchamps—

H. 19. To amend section one of an act entitled "an act to protect the fish in "Deer River," "East Fowl River," "West Fowl River," "Little River" and the tributaries of those streams in Mobile county, approved February 18, 1894.

December 1, read first referred to agriculture. December 4, reported favorably with amendment, read second, calendar. December 5, amendment adopted, read third, passed. December 7, house concurres. December 7, signed.

By Mr. Robinson—

H. 21. To amend section 2698 of the Code.

January 21, read first, referred to judiciary.

By Mr. Wiley—

H. 23. To fix the compensation of the tax asssessor of Montgomery county, and authorize the board of revenue of said county to pay said tax assessor quarterly such sums of money as said board may deem just and proper, to be charged against the fees and commissions earned by him and collected by the tax collector.

January 26, read first, referred to finance and taxation. January 28, reported favorably, read second. February 6, read third, passed. February 8, signed.

By Mr. Hill—

H. 25. To incorporate the Grand Lodge of Knights of Pythias of Alabama.

November 30, read first, referred, judiciary. February 5, reported favorably with amendment, read second, calendar. February 10, amendment adopted, read third, passed. February 11, signed. February 12, signature erased, vote recommitted, amendment read third, passed. February 13, house concurs. February 13, signed.

By Mr. Greene of Jefferson—

H. 77. To provide for the registration and payment of the fees of State's witnesses before the grand juries in cases where the defendant is not arrested within three years from date of the indictment, and for the payment into the fine and forfeiture fund of said fees if subsequently collected.

November 18, read first, referred, penitentiary and criminal administration. November 20, reported favorably with amendment, read second, calendar. November 21, amendment read third, passed. November 23, house concurred. November 27, signed.

By Mr. Lipscomb—

H. 78. To confirm the incorporation of the "Jones Valley Club"

November 20, read first, referred, judiciary. December 1, returned, referred, corporations. December 4, reported favorably, read second, calendar. December 5, read third, passed. December 7, signed.

By Mr. Nesmith—

H. 79. To authorize and require the commissioner's court of Lamar county to set apart and appropriate money from the general fund of said county with which to pay and discharge certificates of State witnesses issued by the foreman of the grand jury and by the clerk of the circuit court of said county—fees

November 23, read first, referred to local legislation. November 25, reported favorably, read second. November 27, read third, passed. November 28, signed.

H. 38. To change the time of the holding of the chancery courts in the northwestern chancery division as to the counties of Blount, Walker and Winston, Fayette and Tuscaloosa.

November 18, read first, referred to judiciary. November 30, reported favorably, read second, calendar. December 1, read third, passed. December 2, signed.

H. 39. To incorporate the West Alabama male and female college.

January 29, read first, referrd to education. January 30, reported favorably, read second. February 5, amended, read third, passed. February 6, house concurred in senate amendment. February 8, signed.

H. 40. To create a separate school district in the town of Oakman, Alabama, to define the boundaries thereof and provide for maintenance of schools thereof.

November 21, read first, referred to education. November 24, reported favorably, read second, calendar. November 25, read third, passed. December 2, signed.

By Mr. Brown of Colbert—

H. 43. To amend section 751 of the code.

November 18, read first, referred to judiciary. November 21, reported favorably, read second. November 23, read third, passed. November 24, signed.

H. 44. To incorporate the Land, Bank and Farmers' Mutual Aid League of America.

November 17, read first, referred to corporations.

By Mr. Newman—

H. 46. For the preservation and protection of birds in Chambers county.

November 23, read first, referred to local legislation. November 25, reported favorably, read second. November 27, read third, passed. November 28, signed.

By Mr. Lavender—

H. 48. To regulate the summoning of witnesses in criminal cases in the circuit court and in the county court of Bibb county.

November 18, read first, referred, judiciary. November 21, reported favorably, read second. November 23, read third, passed. November 24, signed.

H. 49. To revive judgments and decrees against administrators de bonis non in cases where such judgments or decrees have been rendered against administrators in chief and such administrators in chief have died, been removed or have resigned before the payment of such judgment or decree.

November 18, read first, referred, judiciary. November 21, reported favorably with amendment, read second. November 23, amendment adopted, read third, passed. November 25, house concurs. November 28, signed.

By Mr. Flewellen—

H. 50. To establish the Enon school district in Bullock county.

December 4, read first, referred, education. December 7, reported favorably, read second, calendar. December 8, read third, passed. December 8, signed.

By Mr. Coleman—

H. 52. To repeal an act entitled an act to regulate the issue of garnishments and the proceedings thereon in the counties of Jefferson, Dallas, Calhoun, Escambia and Cleburne, approved February 21, 1893, so far as relates to Calhoun and Cleburne.

November 18, read first, referred, local legislation. November 19, reported favorably, read second, calendar. November 20, read third, passed. November 21, signed.

H. 53. To prohibit the sale, giving away or otherwise disposing of spirituous, vinous or malt liquors in Calhoun county, Alabama.

January 27, read first, referred, temperance. January 28, reported favorably, read second. January 30, recommitted, temperance. February 2, reported favorably, read second. February 8, read third, passed. February 9, signed.

By Mr. Long—

H. 56. To authorize Phoebe Trull, Hinchey Trull, and Willie Trull, minor heirs of Jackson J. Trull, deceased, under the age of eighteen years, to convey certain lands herein described in Clarke county, Alabama.

December 7, read first, referred, local legislation. December 8, reported favorably, read second, calendar. December 9, read third, passed. December 9, signed.

H. 57. To authorize Percy Wiggins, Daisy Wiggins, Emma Wiggins and Reuben Wiggins, minor heirs of Stephen L. Wiggins, deceased, to convey certain lands herein described in Clarke county, Alabama.

December 7, read first, referred, local legislation. December 8, reported favorably, read second, calendar. December 9, read third, passed. December 9, signed.

By Mr. Henson—

H. 58. To establish a separate school district in Clarke county, to be known as Fort Madison school district.

November 19, read first, referred, education. November 20, reported favorably, read

second, calendar. November 21, read third, passed: November 24, signed.

By Mr. Beasley—

H. 60. To regulate payments of the fine and forfeiture fund of Covington county by requiring payments in the numerical order of its registry and after sixty days notice to bar claims not presented to the amount of one hundred and thirty-five dollars of the claims first in numerical order not presented.

November 23, read first, referred, judiciary.

By Mr. Cofer—

H. 61. To regulate the time of holding regular terms of the commissioners courts in Cullman county, Alabama.

November 21, read first, referred, judiciary. November 25, reported favorably, read second. November 28, read third, passed. November 30, signed.

By Mr. Flewellen—

H. 62. To incorporate a separate school district known as the Ketchum school district.

January 28, read first, referred, education. January 29, reported favorably, read second. January 30, recommitted, education. February 8, read third, passed. February 9, signed.

By Mr. Beeson—

H. 66. To establish a separate school district and define its boundaries in Etowah county.

November 18, read first, referred, education. November 19, reported favorably with amendment, read second, calendar. November 20, amended, read third, passed. November 23, house concurred. November 24, signed.

By Mr. McCollum—

H. 67. To provide for the election of four county commissioners in Fayette county, and to prescribe the manner of electing same.

November 24, read first, referred, privileges and election. December 8, reported favorably, read second. December 9, read third, passed. December 9, signed.

By Mr. Bouldin—

H. 70. For the improvement of roads and bridges in Jackson county.

November 24, read first, referred, local legislation. December 2, amended, read second, calendar. December 3, amendment adopted, read third, passed. December 8, signed.

H. 71. To establish and maintain ferries in Jackson county.

November 24, read first, referred, municipal and county organizations. November 30, reported favorably, read second, amended, calendar. December 1, special order Thursday, December 3. December 4, read third, passed. December 5, signed.

H. 72. To require licenses for operating flying-jennys or other devices of similar kind for profit.

November 30, read first, referred, finance and taxation. December 5, reported favorably with substitute, read second, calendar. December 8, substitute adopted, read third, passed. December 9, house concurs, signed.

H. 73. To amend an act entitled "an act to amend an act to provide a fund for the payment of witnesses for the State and other officers, in State cases, in Jackson county, and to prescribe their compensation, approved March 1, 1881," approved February 21st, 1893, and to repeal an act entitled "an act to regulate the fine and forfeiture fund of certain counties," approved February 13th, 1879, so far as the same relates to Jackson county.

November 30, read first, referred, judiciary. February 5, reported favorably with amendment, read second, calendar. February 10, amendment adopted, read third, passed. February 11, signed. February 12, signature erased, vote recommitted, amendment read third, passed. February 13, house concurs. February 13, signed.

By Mr. Greene of Jefferson—

H. 77. To provide for the registration and payment of the fees of State's witnesses before the grand juries in cases where the defendant is not arrested within three years from date of the indictment, and for the payment into the fine and forfeiture fund of said fees if subsequently collected.

November 18, read first, referred, penitentiary and criminal administration. November 20, reported favorably with amendment, read second, calendar. November 21, amendment read third, passed. November 23, house concurred. November 27, signed.

By Mr. Lipscomb—

H. 78. To confirm the incorporation of the "Jones Valley Club"

November 20, read first, referred, judiciary. December 1, returned, referred, corporations. December 4, reported favorably, read second, calendar. December 5, read third, passed. December 7, signed.

By Mr. Nesmith—

H. 79. To authorize and require the commissioner's court of Lamar county to set apart and appropriate money from the general fund of said county with which to pay and discharge certificates of State witnesses issued by the foreman of the grand jury and by the clerk of the circuit court of said county—fees

which by law became a good claim against the fine and forfeiture fund of said county, after the approval of this act, and to regulate the manner of said payments and fixing the amount of said witness fees.

November 21, read first, referred, judiciary. November 28, reported favorably, read second. November 30, read third, passed. December 2, signed.

By Mr. Mitchell—

H. 81. To secure copy rights for the books of the State and to relieve J. K. Jackson, secretary of State, from all liability for certain copies of the Supreme court reports and of the code of 1886, and two copies of the acts of 1894–5.

November 23, read first, referred, printing. November 24, reported favorably, read second, calendar. November 25, read third, passed. November 27, signed.

By Mr. Hunt—

S. 83. To require members of the court of county commissioners in Madison county to give bond for the faithful performance of their official duties.

November 20, read first, referred, judiciary. November 25, reported favorably, read second. November 27, read third, passed. November 28, signed.

By Mr. Delchamps—

H. 86. To fix the compensation of the members of the board of revenue and road commissioners for Mobile county.

November 20, read first, referred local legislation. February 10, read second calendar. February 15, read third, passed. February 16, signed.

H. 87. To further provide for the working of the public roads in Mobile county.

January 21, read first, referred local legislation.

H. 88. To confirm the incorporation and organization of the McGill Institute in the city of Mobile and to define, delare and enlarge the powers of said corporation.

December 5, read first, referred education. December 8, reported favorably with amendment, read second, calendar. December 9, amendment tabled, read third, passed. December 9, signed.

By Mr. Robinson—

H. 90. To confirm the incorporation of the Fidelia Club of Mobile, Alabama, and to amend its charter.

November 23, read first, referred judiciary. November 25, recalled from judiciary and referred to corporations. November 30, reported favorably, read second, calendar. December 1, read third, passed. December 2, signed.

H. 91. To confirm the incorporation of the Athelstan Club of Mobile, Alabama and to amend its charter.

November 23, read first, referred corporations. November 30, reported favorably, read second, calendar. December 1, read third, passed. December 2, signed.

By Mr. Sheldon—

H. 94. To amend section 12 of an act to establish a State board of embalming, to provide for the better protection of life and health, to prevent the spread of contageous diseases, and to regulate the practice of embalming and the care and disposition of the dead, approved December 12, 1894.

November 21, read first, referred, public health.

By Mr. Kyle—

H. 95. To amend an act entitled an act to fix the

times and regulate the holding of the courts in the eighth judicial circuit of the State of Alabama, approved Feby. 6th, 1895.

November 20, read first, referred judiciary. November 24, reported favorably, read second, calendar. November 25, read third, passed. November 27, signed.

By Mr. Yarbrough—

H. 96. To prevent persons from hunting with dog or gun or with bird nets upon the lands of another in the county of St. Clair, without first obtaining permission and consent from the owner or agent of the land in cases where the same has been or is posted at three conspicuous places thereon.

December 5, read first, referred local legislation. January 21, reported favorably with amendment, read second, calendar. January 22, amendment adopted, caption amended, read third, passed. January 23, house concurs. January 26, signed.

By Mr. Brandon--

H. 102. To amend an act entitled an act to incorporate the city of Tuscaloosa, approved March 12th, 1873, by the addition of section 103 authorizing the mayor and aldermen of the city of Tuscaloosa to require certain male inhabitants thereof to work the streets of said city; to adopt ordinances to carry out the powers so granted and to punish all persons failing to perform such work.

November 19, read first, referred corporations. November 25, reported favorably, read second. November 28, read third, passed. November 30, signed.

By Mr. Appling—

H. 103. To provide for the compensation of the county solicitor for Walker county.

November 18, read first, referred judiciary. November 21, reported favorably, read second. November 23, read third, passed. November 24, signed.

By Mr. Palmer—

H. 106. To establish a county school book board to select a uniform series of text books for use in the public schools in the county of Winston.

January 23, read first, referred education. January 27, reported favorably, read second. February 6, read third, passed. February 8, signed.

By Mr. Barron—

H. 107. For the relief of J. C. Lawrence of Perry county.

December 7, read first, referred judiciary. January 22, returned, referred finance and taxation. January 28, reported favorably, read second. February 6, read third, pending further consideration. February 6, read third, passed. February 8, signed.

By Mr. Cofer—

H. 109. To regulate the manner of making contracts by the commissioners court of Cullman county, Alabama, for erecting or repairing public buildings or bridges in the county.

November 27, read first, referred judiciary. November 28, reported favorably, read second. November 30, amended, read third, passed. December 4, house concurs, signed.

H. 110. To regulate the summoning and attendance of witnesses in civil causes in the circuit and city courts in Cullman county, Alabama.

November 23, read first, referred judiciary. November 25, reported favorably, read second. November 27, read third, passed. November 28, signed.

By Mr. Hibbard—

H. 112. To incorporate the Monroe Male and Female Institute.

November 18, read first, referred education. November 19, reported favorably, read second, calendar. November 20, read third, passed. November 21, signed.

By Mr. Love—

H. 113. To amend section 4242 of the code of 1886 of Alabama.

November 19, read first, referred judiciary.

By Mr. Heflin—

H. 116. To provide for refilling the jury boxes of the counties of Chambers, Coosa and Macon, and to legalize the same, and provide for drawing the juries for said counties from such legalized boxes.

December 1, read first, referred judiciary. December 4, reported favorably, read second, calendar. December 5, read third, passed. December 7, signed.

By Mr. Brown of Colbert—

H. 120. To prescribe certain studies to be taught in the public schools of this State of an elementary grade.

November 24, read first, referred education.

By Mr. Beeson—

H. 122. To establish a board of education to select a uniform series of text books for the counties of Etowah and Cherokee, and to regulate the duties of said board.

December 1, read first, referred education. December 3, reported favorably, read second, calendar. December 5, read third, passed. December 7, signed.

H. 123. To amend an act to authorize the commissioners' court of the counties of Cherokee and

Etowah to levy a tax for working public roads and to let out said roads by contract.

January 21, read first, referred local legislation. January 23, reported favorably, read second. January 29, read third, passed. January 30, signed.

By Mr. Bouldin—

H. 124. For the protection of girls under fourteen years of age.

January 22, read first, referred judiciary. February 10, read second, calendar. February 13, substitute adopted, read third, passed. February 13, house concurs. February 15, signed.

H. 125. To prohibit the manufacture, sale or giving away of spirituous, vinous or malt liquors within five miles of Mount Moriah Baptist church, Bethel Baptist church, Harmony Baptist church, Kyle Spring Methodist church and Mount Ararat Methodist church in Jackson county.

December 4, read first, referred temperance. December 5, reported favorably, read second, calendar. December 8, read third, passed. December 8, signed.

By Mr. Timberlake—

H. 126. To establish a uniform series of standard school books to be used in the public schools of Jackson county.

November 30, read first, referred education. December 3, reported favorably, read second, calendar. December 5, read third, passed. December 7, signed.

By Mr. Greene—

H. 128. To fix the compensation of not more than two regular bailiffs of the criminal court of Jefferson county, and to provide for its payment.

November 30, read first, referred judiciary.

December 8, reported favorably with amendment, read second. December 9, amendment adopted, read third, passed. February 18, signed.

By Mr. Baker—

H. 130. To authorize the board of mayor and councilmen of the city of Phœnix City to issue and negotiate bonds of said city to an amount not exceeding ten thousand dollars for the purpose of purchasing and laying sewer pipe, improving the streets of said city and paying the indebtedness of said city.

November 23, read first, referred municipal and county organizations. November 30, reported favorably, read second, calendar. December 1, read third, passed. December 2, signed.

By Mr. Wood of Macon—

S. 131. "To amend section four (4) of an act to incorporate the Tuskegee Normal and Industrial Institute and to amend an act to amend an act to establish a Normal school for colored teachers at Tuskegee, Alabama, approved December 19th, 1892."

November 20, read first, referred education. November 21, reported favorably, read second. November 23, read third, passed. November 24, signed.

By Mr. Sheldon—

H. 132. To amend an act entitled "an act to fix the right of the city of Mobile to certain real estate," approved February 18th, 1895.

November 24, read first, referred local legislation. December 1, reported favorably, read second, calendar. December 2, read third, passed. December 4, signed.

By Mr. Stansel—

H. 135. To authorize corporations, having the power under their charter, to become sureties on the official bonds of State, county and municipal officers, and of receivers, guardians, administrators, trustees, assignees and executors, and on all bonds or undertakings required in any judicial proceeding, and on all bonds or undertakings required or permitted by the laws of this State to be executed with sureties; to regulate the giving of such bonds and prescribe the qualifications of such corporations; and to provide for the relief of such corporations from further liability thereon.

January 28, read first, referred judiciary. January 30, reported favorably, read second. February 8, amended, read third, passed. February 9, house non-concurs, committee of conference asked. February 11, house concurs. February 12, signed.

By Mr. Browne of Talladega—

H. 136. For the protection of the creditors of any insolvent and failing corporation against preferences made or suffered by the directors, officers or managers of such corporation in the payment or security of debts.

November 23, read first, referred judiciary. November 24, reported favorably, read second, calendar. November 25, made special order November 30 first after journal. November 30, made special order Wednesday, December 2, 12 o'clock M. December 3, recommitted judicary.

By Mr. Brandon—

H. 140. To amend an act entitled "an act to constitute the city of Tuscaloosa a separate school district and to provide for the management of the public schools in said school district," approved February 17, 1885, by the addition

of section 14 in reference to the receipt and disbursement of the school fund of said district, and section 15 in reference to the taking of the school census.

November 23, read first, referred to education. November 24, reported favorably, read second, calendar. November 25, read third, passed. November 27, signed.

By Mr. Dale—

H. 141. To prohibit the law partner or partners of circuit, city or county solicitors of this State from defending cases in any court in this State where said solicitor prosecutes.

November 24, read first, referred to judiciary. November 25, reported favorably, read second. November 30, read third, passed. December 2, signed.

By Mr. Love—

H. 145. To authorize the foreman of the grand jury to issue certificates to witnesses examined before the grand jury.

November 25, read first, referred to judiciary. December 4, reported favorably, read second, calendar. December 5, read third, passed. December 7, signed.

By Mr. Merrill—

H. 147. To amend an act entitled "an act to repeal sections 3286, 3287 and 3288 of the code of 1876," approved February 17th, 1885.

November 24, read first, referred to judiciary. December 8, reported favorably, read second, calendar. December 9, indefinitely postponed, recommitted. Special order Friday, January 22, at 12 o'clock M January 22, special order Friday, January 29, continuing at 12 M. February 12, read third, passed. February 13, signed.

By Mr. Lavender—

H. 150. For the preservation of game, animals and birds in the county of Bibb.

November 23, read first, referred to local legislation. November 25, reported favorably, read second. November 27, read third, passed. November 28, signed.

By Mr. Coleman—

H. 151. To amend section 2679 of the code.

January 29, read first, referred to judiciary. February 2, reported favorably, read second. February 9, read third, passed. February 11, signed.

(By request)—

H. 152. To amend section 2571 of the code of 1886.

November 24, read first, referred to judiciary. November 28, reported favorably, read second. November 30, read third, passed. December 2, signed.

By Mr. Reynolds—

H. 153. To incorporate the town of Clanton, in the county of Chilton, State of Alabama, and to repeal all former charters for said town.

January 30, read first, referred to municipal and county organizations. February 2, reported favorably, read second. February 9, read third, passed. February 11, signed.

By Mr. Beasley—

H. 157. To provide for a "finance committee" for Covington county, Alabama, and to prescribe the powers and duties thereof.

November 21, read first, referred to finance and taxation. November 24, reported favorably, read second, calendar. November 25, read third, passed. November 27, signed.

By Mr. Killibrew—

H. 158. To regulate and prescribe the manner of electing county commissioners of Dale county.

November 21, read first, referred to privileges and elections. December 8, reported favorably, read second. December 9, read third, passed. December 9, signed.

By Mr. Pitts—

H. 159. To donate twenty-five copies of the code of Alabama of the year 1886 to the law library of the State Univerity.

November 25, read first, referred to finance and taxation. November 28, reported favorably, read second. November 30, read third, passed. December 2, signed.

By Mr. Franklin—

H. 160. To establish a separate school district to be known as the Mount Zion school district, composed of a portion of DeKalb, Marshall and Etowah counties, Alabama.

January 23, read first, referred to education. January 27, reported favorably, read second. January 30, recommitted to education. February 6, read third, passed. February 8, signed.

By Mr. Bouldin—

H. 165. To set apart and exempt a school site in section 16, township 5, range 7 east in Jackson county.

December 5, read first, referred education. December 7, reported favorably, read third, calendar. December 8, read third, passed. December 9, signed.

By Mr. Greene—

H. 166. To provide for the payment into the fine and forfeiture fund of Jefferson county of all solicitors fees now forming a part of the general fund of said county, after payment of an appropriation of three thousand dollars per annum to be paid to assist the sol-

icitor of Jefferson county in suppressing crime as provided in an act approved February 18th, 1891.

February 4, read first, referred penitentiary. February 8, reported favorably, read second. February 15, read third, passed. February 16, signed.

By Mr. Lipscomb—

H. 168. To prohibit any person without legal cause or good excuse from entering upon the enclosed premises of another in Jefferson county Alabama.

December 8, read first, referred local legislation. February 1, reported favorably, read second. February 9, read third, lost.

H. 169. To amend sections 3874 [4419, 4120] of the Code of Alabama, 1886.

November 24, read first, referred judiciary. November 28, reported favorably, read second. November 30, read third, passed. December 2, signed.

By Mr. Nesmith—

H. 170. To prohibit the requiring of abstracts in cases of appeal to the supreme court of Alabama.

February 12, read first, referred judiciary. February 13, reported favorably, read second calendar. February 18, substitute adopted, read third, passed. February 18, house concurs, signed.

By Mr. McClellan—

H. 171. To authorize and empower the mayor and council of the town of Athens to issue and sell bonds of said town to all amount not exceeding fifteen thousand dollars, falling due not more than thirty years from their date, bearing not exceeding six per cent. interest payable semi-annually, for the purpose of es-

tablishing and operating a first class system of water works in and for said town and its inhabitants.

November 28, read first, referred corporation. December 1, reported favorably, read second, calendar, December 2, read third, passed. December 4, signed.

By Mr. Robinson—

H. 174. To provide for the repairing of the quarantine plant in Mobile Bay.

February 91, read first, referred finance and taxation. February 12, read second, calendar. February 12, special order Saturday, February 13, 3;30 P. M. February 13, read third, passed.

H. 175. To amend section 2071 of the Code of Alabama.

November 20, read first, referred judiciary. November 25, reported favorably, read second. November 27, read third, passed. November 28, signed.

By Mr. Hibbard—

H. 178. To legalize the jury box of Monroe county, and to provide for drawing legal jurors therefrom.

November 21, read first, referred judiciary. December 3, reported favorably, read second, calendar. December 5, read third passed. December 7, signed.

By Mr. Hill—

H. 180. To make an appropriation to cover the deficiency "for distributing the Acts and Journals of the general assembly of 1892–3, Code and other public documents for the year ending September 30, 1893, and to pay White, Woodruff & Fowler the balance due to them for stationary furnished by them to the State under a contract to furnish the same."

December 4, read first, referred finance and taxation, December 8, reported favorably, read second, December 9, read third, passed. December 9, signed.

By Mr. Kyle—

H. 182. To make all fines assessed upon condition for misdemeanors in Morgan county, Alabama, payable in money.

November 20, read first, referred judiciary, November 25, reported favorably, read second. November 27, read third, passed. November 28, signed.

By Mr Longshore—

H. 184. To regulate the trials of misdemeanors in Shelby county, Alabama.

November 30, read first, referred judiciary. December 5, reported favorably, read second, calendar. December 7, read third, passed. December 8, signed.

By Mr, Yarbrough—

H. 185. To fix the pay of the judge of the county of St. Clair county, Alabama.

November 21, read first, referred judiciary.

By Mr. Brandon—

H. 187. To amend an act entitled an act to incorporate the city of Tuscaloosa, approved March the 12th, 1873, by the addition of section 104 authorizing the mayor and aldermen of the city of Tuscaloosa to require railroad companies operating railroads over the streets of said city, to keep electric lights, or lights of equal power, at all points where such railroads cross the public streets of said city of Tuscaloosa.

November 20, read first, referred to judiciary. November 28, reported favorably, read second. November 30, read third,

passed. December 1, concurred in house joint resolution to recall from governor. December 2, signed.

By Mr, Jenkins—

H. 188. To give physicians a lien upon the personal property of any person for the payment of medicines furnished and services rendered to such person or his family, not exceed the sum of ten dollars per year, and to provide for the enforcement of such lien. *Provided*, That The provisions of this act shall not apply to the counties of DeKalb, Monroe, Cleburne, Jefferson, Talladega, Marshall, Cherokee, Montgomery, Chilton, Lee, Franklin, Coosa, Dallas, Colbert, Bullock, Lawrence, Clay, Lamar, Tuscaloosa, Cullman, St. Clair, Conecuh, Shelby, Clarke, Washington, Jackson, Marion, Mobile, Dale, Henry, Barbour, Walker, Lauderdale, Morgan, Escambia, Lowndes, Blount, Limestone, and Geneva and Greene and Hale.

November 24, read first, referred to public health. January 30, reported favorably, read second. February 8, tabled. February 15, motion to take from table lost.

By Mr. Graves—

H. 189. To allow the soldiers and sailors of the Confederate States of America, who have been residents of this State for five years next before the passage of this act, to peddle in produce and merchandise in each and every county of the State, except in incorporated villages, towns and cities, without payment of the stipulated license, and providing the manner of obtaining such license.

January 29, read first, referred to finance and taxation. February 4, reported favorably, read second. February 10, amendment adopted, read third, passed. February 11, signed.

By Mr. Stewart—

H. 190. To repeal an act entitled "an act to amend section 5025 of the code (of 1876) so far as the same applies to Blount county" approved February 23d, 1883, and also to reenact section 3675 of the code of Alabama as to the county of Blount.

November 24, read first, referred to judiciary. December 5, reported favorably, read second, calendar. December 8, read third, passed. December 9, signed.

By Mr. Coleman—

H. 191. For the better preservation of game in Calhoun county, Alabama.

November 25, read first, referred to local legislation. November 28, reported favorably, read second. November 30, amended, read third, passed. December 4, house concurs, signed.

By Mr. Long—

H. 193. To provide for the election of a county superintendent of education in Clarke county.

December 4, read first, referred to education. December 7, reported favorably, read second, calendar. December 8, read third, passed. December 8, signed.

By Mr. Carmichael—

H. 194. To repeal section 12 of an act entitled an act to incorporate the town of Hollins in Clay county, approved February 21st, 1893.

November 24, read first, referred to judiciary.

By Mr. Campbell (by request)—

H. 195. To incorporate the city of Fruithurst.

November 24, read first, referred to corporations. December 7, reported favorably, amended, read second, calendar. December

8, amendment adopted, read third, passed. December 9, house concurs, signed.

By Mr. Beasly—

H. 196. To amend section 1 of an act entitled "an act to prohibit the sale, giving away, delivering, transferring, parting with, procuring, or other disposition of spirituous, vinous or malt liquors or any intoxicating bitters within five miles of Andalusia High School, Baptist and Methodist churches," approved February 16, 1895.

December 7, read first, referred to temperance. December 8, reported favorably, read second, calendar. December 9, read third, passed. December 9, signed.

By Mr. Killebrew—

H. 197. To create a separate school district out of the territory within two miles of the court house in the city of Ozark, in the county of Dale.

December 5, read first, referred to education. December 7, reported favorably, read second, calendar. December 8, read third, passed. December 8, signed.

By Mr. Waller of Hale—

H. 200. For the preservation and protection of quails commonly called partridges, in the county of Hale.

November 20, read first, referred to local legislation. November 23, reported favorably, read second, calendar. November 24, read third, passed. November 27, signed.

By Mr. Hunt—

H. 201 To establish a new charter for the city of Huntsville.

November 19, read first, referred to municipal and county organizations. November 24, read second, calendar. November 30,

report favorably, with amendment, read second, calendar. December 1, special order Wednesday 12 M, December 3, amendment pending. December 4, amendment adopted, read third, passed. December 7, house concurs. December 9, signed.

By Mr. Wiley—

H. 202. To provide guards for the Montgomery jail.

January 28, read first, referred to penitentiary. February 2, reported favorably, read second. February 3, recommitted to penitentiary. February 9, reported favorably read second. February 12, amended, read third, passed. February 13, house concurs. February 13, signed.

By Mr. Longshore—

H. 204. To prohibit the sale, giving away or otherwise disposing of any spirituous, vinous or malt liquors within five miles of the Saginaw M. E. Church, Shelby county, Alabama.

December 2, read first, referred to temperance. December 3, reported favorably, calendar. December 5, amended adopted, read third, passed. December 8, house concurs. December 9, signed.

By Mr. Mills—

H. 205. To authorize the board of intendent and councilmen of the town of York Station in Sumpter county to issue bonds of the said town for an amount not exceeding two thousand dollars for the purpose of building or procuring suitable school buildings for the use of the residents of said town.

January 23, read first, referred to education. January 27, reported favorably, read second. February, 6, read third, passed. February 8, signed,

By Mr. Smith of Tallapoosa—

H. 206. For the preservation of game, animals and birds in Tallapoosa county.

January 22, read first, referred to local legislation. January 26, reported favorably read second. February 3, read third, passed. February 4, signed.

By Mr. Joseph—

H. 207. To better provide for keeping up the public roads of Baldwin county.

January 22, read first, referred to local legislation. January 26, reported favorably, read second. February 3, read third, passed. February 4, signed.

By Mr. Wood of Macon—

H. 213. To levy a license tax, State and county, on all peddlers of medicines, drugs or articles of like character in the counties of Macon, Jefferson, Calhoun, Autauga, Bullock, Tallapoosa, Maringo, Monroe, Lee, Talladega, Clarke, Montgomery, Coffee, Barbour, Morgan, DeKalb, Wilcox, Elmore, Dallas, Sumpter, Tuscaloosa, Russell, Chambers and Greene.

November 20, read first, referred to finance and taxation. November 24, reported favorably, read second, calendar. November 25, amended adopted, read third, passed. Novber 2 , house non-concurs, senate acceds committee of conference. November 28, house concurs, report conference committee, senate non-concurs and requests second conference. December 7, report conference committee concurred in. December 9, signed.

By Mr. Robinson—

H. 214 To amend section 4 of the act entitled an act to regulate the mode of selecting, drawing and empanelling grand and petit jurors for

Mobile county, approved February 20, 1883.
February 9, read first, referred to judiciary. February 10, read second, calendar. February 16, read third, passed. February 18, signed.

By Mr. Clements—

H. 216. To amend section seven of an act entitled "an act to prevent stock from running at large in certain portions of Hale and Tuscaloosa counties, approved February 21, 1887.
November 24, read first, referred to local legislation. November 28, reported favorably, read second. November 30, read third, passed. December 2, signed.

By Mr. Lavender—

H. 217. To regulate the fees of the clerk of county court of Bibb county.
November 30, read first, referred to judiciary. December 8, reported favorably, read second, calendar. December 9, read third, passed. December 9, signed.

H. 218. To provide for the compensation of jurors in the county court of Bibb county.
November 28, read first, referred to judiciary. December 1, reported favorably, read second, calendar. December 2, read third, passed. December 4, signed.

H. 219. To provide for the registration of all claims against the fine and forfeiture fund of Bibb county.
December 7, read first, referred to local legislation. January 21, reported favorably with amendment, read second, calendar. January 22, amended, adopted, read third, passed.

By Mr. Stewart—

H. 220. To authorize the solicitor of the ninth judi-

cial circuit to appoint a deputy solicitor for the western division of Blount county.

November 28, read first referred to judiciary. December 1, reported favorably, read second, calendar. December 2, read third, passed. December 4, signed.

By Mr. Lloyd—

H. 222. To make the clerk of the circuit court of Butler county ex-officio hard labor agent for said county.

November 30, read first, referred to judiciary. December 3, reported favorably, read second, calendar. December 7, read third, passed. December 8, signed.

By Mr. Coleman—

H. 223. To amend sections 1, 2, 5, 8, 11 and 14 of an act entitled "an act, to ratify and confirm the orginizalion of the Tredgar Mineral Railroad and to confirm, and amend the charter thereof, approved February 21, 1893."

January 22, read first, referred to commerce and common carrier. February 5, reported favorably, read second, calendar. February 13, read third, passed. February 15, signed.

By Mr. Porter—

H. 225. To require the commissioners court of roads and revenues for the county of Coosa, to cause road overseers in said county to have loose stones removed from the roads of said county so far as the same may be practicable.

January 23, read first, referred to local legislation. January 26, reported favorably, read second. February 3, read third, passed. February 4, signed. February 16, house concurs.

By Mr. Killebrew—

H. 227. To establish a separate school district in Dale county, known as the Sylvan Grove school district, and fix the boundaries for same.

December 4, read first, referred to education. December 7, reported favorably, read second, calendar. December 8, read third, passed. December 8, signed.

By Mr. Huddleston—

H. 228. To regulate, fix and prescribe the ex-officio compensation of the sheriff of Elmore county.

February 1, read first, referred municipal and county organizations. February 5, reported favorably, read second, calendar, with amendment. Feb. 12, amendment adopted, read third, passed. Feb. 13, house concurs.

February 13, signed.

H. 229. To establish a stock law in beat 1, 8, and 15 in Elmore county.

December 9, read first, referred local legislation. January 23, reported favorably with amendment, read second. Jan. 27, amendment adopted, read third, passed. Jan. 28, signed.

By Mr. Tunstall—

H. 230. To prevent hunting on the lands of another without the consent of the owner of the title in fee simple or of a life estate therein or of his authorized agent in the county of Greene and in beats number 2, 3, 4, 5, 6, 7, 8, 9, 10, 15, 16 and 17 Hale county, Alabama.

January 23, read first, referred local legislation. January 26, reported favorably, read second Feb. 3, amended, read third, passed. Feb. 4, house non-concurs. Feb. 5, senate considers conference committee's report. Feb. 6, house considers conference committee's report. Feb. 8, signed.

H. 234. To amend sections 3018, 3019, 3022, 3026 and

3041 of the code of 1886, as amended by "an act to amend and re-enact sections 3018, 3022, 3025, 3026, 3027, 3028 and 3041, and to amend section 3048 of the code of Alabama," approved February 18, 1895, (Acts 1894–95, p. 1228) and to amend section 3038 of the code of Alabama; and to repeal section 3025, as amended and re-enacted, all pertaining to mechanic's and material-men's liens.

Feb. 12, read first, referred judiciary. Feb. 16, reported favorably with amendments, read second, calendar. Feb. 18, tabled.

By Mr. Mitchell—

H. 235. To amend an act entitled an act to regulate the issue of garnishments returnable before justices of the peace and the proceedings thereon, approved February 18, 1891.

November 30, read first, referred judiciary.

By Mr. Hampton—

H. 238. To establish Big Spring school district in Madison county.

December 5, read first, referred to education. December 7, reported favorably, read second, calendar. December 8, read third, passed. December 8, signed.

H. 239. To amend an act entitled an act to define and prescribe a lawful fence in certain portions of the county of Madison, approved February 28th, 1889, as amended by section one of an act approved February 21st, 1893 and as amended by section one of an act approved January 29th, 1895.

December 1, read first, referred local legislation. December 7, reported favorably with amendment, read second, calendar. December 8, amendment adopted, read third, passed. December 9, house concurs, signed.

By Mr. Hunt—

H. 240. To change the name of State "Normal and Industrial School" to "The Agricultural and Mechanical College for Negroes," at Normal, Madison county, Alabama, and authorize the some to confer degrees.

December 1, read first, referred to education. December 3, reported favorably with amendment, read second, calendar. December 5, amendment adopted, read third, passed. December 8, house concurs. December 9, signed.

By Mr. Barron—

H. 243. For the relief of Lula Houston Terrell and the heirs of the estate of M. J. Houston, deceased.

January 23, read first, referred finance and taxation. January 28, reported favorably, read second. February 8, read third, passed. February 9, signed.

By Mr. Longshore—

H. 244. To establish a charter for the city of Vincent in Shelby county, Alabama.

January 30, read first, referred, municipal and county organizations. February 3, reported favorably, read second, February 10, read third, passed. Feb. 11, signed.

By Mr. Browne of Talladega—

H. 246. To establish a new charter for the city of Talladega.

December 1, read first, referred, municipal and county organizations. December 2, reported favorably, read second, calendar. December 4. amendment adopted, read third, passed. December 7, house concurs. December 8, signed.

By Mr. Glover—

H. 247. To provide for the more efficient working of the public roads in Greene county and for the

appointment of district road inspectors for Greene county.

January 25, read first, referred local legislation. February 3, with amendment, reported favorably, read second. February 9, amended, read third, passed. February 10, house concurs. February 11, signed.

By Mr. Altman—

H. 248. To amend the charter of the Sloss Iron and Steel Company, a body corporate.

February 2,read first,referred corporations. February 5, reported favorably, read recond, calendar. February 13, read third, passed. February 15, signed.

By Mr. Cofer—

H. 249. To regulate the payment and maximum of allowance of fees for ex-officio services of officers in Cullman county, Alabama.

January 21, read first, referred to judiciary.

By Mr. Heflin—

H. 250. To allow the presiding judge of the circuit court in any of the counties in the first, third, fourth, fifth, sixth, seventh, ninth and thirteenth judicial circuits and in Cullman county in the eighth judicial circuit, to order the jury box in either of such counties, except in the counties of Dallas, Monroe, Etowah, DeKalb, and Mobile, to be refilled when in his opinion the box has become illegal or irregular and to provide for refilling the box.

January 23, read first, referred to judiciary. January 29, reported favorably, read second. February 8, read third, passed. February 9, signed.

By Mr. Altman—

H. 254. For the relief of Mrs. Alice B. Patton of Sumter county.

February 4, read first, referred judiciary.

By Mr. Robinson—

H. 255. To amend section 3687 of the Code of Alabama.

December 1, read first, referred finance and taxation. February 6, reported favorably, read second, calendar. February 13, substitute adopted, amendment adopted, read third passed. February 15, house concurs, signed.

By Mr. Barnes—

H. 256. To amend section 4243 of the Code of Alabama, providing for trials on appeals from judgments of justices of the peace.

November 30, read first, referred judiciary. December 3, reported favorably, read second, calendar. December 5, read third, passed. December 7, signed.

By Mr. Merrill, (by request.)

H. 259. For the relief of J. R. Herring of the town of Louisville, county of Barbour, State of Alabama.

February 5, read first, referred finance and taxation. February 13, reported favorably, read second, calendar with amendment.

By Mr. Carmichael—

H. 264. To revive and re-enact section 7 of an act entitled an act to provide for an election in the various beats or parts of beats in the county of Clayton, the subject of stock running at large in the beats or parts of beats in said county, approved December 10, 1890.

December 4, read first, referred agriculture.

By Mr. Killbrew—

H. 266. To prohibit the sale, giving away, bartering or otherwise disposing of spirituous, vinous or malt liquors, or other intoxicating drinks

within all area of six miles of the Ozark City graded school building, in the city of Ozark, Dale county, Alabama.

December 1, read first, referred temperance. December 4, reported favorably, read second, calendar. December 5. read third, passed. December 7, signed.

By Mr. Beeson—

H. 268. To prevent the distruction of fish in the Coosa river in Etowah county by poison, dynamite or other explosive material, and to prevent the catching of fish for sale in said river of Etowah county.

December 5, read first, referred local legislation, February 10, read second, calendar.

By Mr. Tunstall—

H. 269. To create township nineteen, range five Hale county, Alabama, a separate school district, to incorporate the same, and define its powers and duties and to provide for the maintenance and management of the public schools of said district.

December 5, read first, referred education. December 7, reported favorably, read second, calendar. December 8, special order January 25, 12 M. January 28, special order February 1st. 12 M. January 30, special order 12 M. February 1, read third, passed. signed.

By Mr. Espy—

H. 270. To fix the time of holding the circuit court in the counties of Geneva and Henry in the twelfth judicial circuit.

December 1, read first referred judiciary. December 3, reported favorably, read second, calendar. December 5, read third, passed. December 7, signed.

By Mr. Lipscomb—

H. 271. To make the wife a competent witness for or against her husband in any prosecution against him for abandoning his family and leaving them in danger of becoming a burden to the public.

December 3, read first, referred judiciary. December 8, reported favorably, read second, calendar. December 9, amendment read third, passed.

H. 272. To amend section 3870 of the criminal code of Alabama.

December 3, read first, referred judiciary.

H. 273. To amend section 4100 of the criminal code of Alabama.

December 2, read first, referred commerce and common carrier.

By Brown of Jefferson—

H. 276. To establish Huffman school district in Jefferson county, Alabama,

December 5, read first, referred education. December 7, reported favorably, read second. December 9, signed.

H. 277. To establish a school district to be known as the Gate city school district of Jefferson county.

December 4, read first, referred education. December 7, reported favorably, read second, calendar. December 8, read third, passed. December 9, signed.

H. 278. To establish Blossburg school district in Jefferson county, Alabama.

January 22, read first, referred education. January 27, reported favorably, read second. January 30, recommitted education. February 2, read third, passed. February 8, signed.

By Mr. Baker—

H. 289. To amend an act entitled an act to establish a new charter for Phenix City in

Lee county, Alabama, approved December 10, 1894.

December 7, read first, referred municipal and county organization. December 8, re-reported favorably, read second. December 9, signed,

By Mr. Hill of Montgomery—

H. 281. To amend section 2081 of the Code, as to presentation of claims against the estate of deceased persons, and when claims are barred.

December 2, read first, referred judiciary. December 4, reported favorably, read second, calendar. December 8, read third, passed. December 9, signed.

H. 282. To amend section 2134 of the code, when final settlement of a deceased person's estate may be made.

December 2, read first, referred, judiciary.

By Mr. Troup—

H. 285. To establish and maintain a uniform series of text books for the public schools of the county of Morgan.

January 23, read first, referred, education. January 27, reported favorably with amendment, read second. February 5, read third, passed, amendment adopted. February 6, house concurred, senate amendment. February 8, signed.

By Mr. Gaston (by request)—

H. 288. To prevent stock from running at large in sections 4, 5, 6, 7, 18, 19, and the N. W. $\frac{1}{4}$ and W. $\frac{1}{2}$ of N. E. $\frac{1}{4}$ and N. $\frac{1}{2}$ of S. W. $\frac{1}{4}$ of section 8, and that part of section 3 west of the Big Tallapoosa river, all in township 19 of rage 10 in Randolph county.

December 9, read first, referred, local legis-

lation. January 23, reported favorably, read second. January 28, read third and passed. January 29, signed.

By Mr. Stansel—

H. 291. To adjust and extend the bonded debt of the county of Pickens.

January 23, read first, referred, local legislation. January 26, reported favorably, read second. February 5, read third, passed. February 8, signed.

By Mr. Graves—

H. 296. To create a separate school district in Barbour county known as the Afton school district.

December 7, read first, referred, education. December 8, reported favorably, read second. December 9, read third, passed. December 9, signed.

By Mr. Lavender—

H. 297. To fix the time for pleading in the circuit court of Bibb county.

December 7, read first, referred, judiciary. January 22, reported favorably, read second, calendar. January 28, read third and passed. January 29, signed.

By Mr. Porter (by request)—

H. 298. To prevent stock from running at large in beat No. 16, Coosa county, Alabama.

January 29, read first, referred, local legislation. January 30, reported favorably, read second. February 2, read third, passed. February 2, signed.

By Mr. Cofer—

H. 299. To regulate the disposition of real estate or any interest therein belonging to the county of Cullman.

January 23, read first, referred, judiciary.

February 10, read second, calendar. February 12, amendment, read third, passed. February 13, house non-concurs.

By Mr. Beeson—

H. 301. To refund license to J. M. Hammitt, of Etowah county, Alabama.

February 2, read first, referred, finance and taxation.

By Mr. Canant—

H. 302. To prohibit the sale, giving away or otherwise disposing of spirituous, vinous or malt liquors or other intoxicants as a beverage and to regulate the issuing and filling of prescriptions requiring the use of alcoholic spirits for medicinal purposes within three miles of the Geneva Academy, in the town of Geneva, county of Geneva.

January 23, read first, referred, temperance. January 28, reported favorably, read second. January 30, recommitted, temperance. February 2, reported favorably, read second.

By Mr. Glover—

H. 303. To provide for the drawing of grand and petit jurors in Greene county.

December 4, read first, refeired, judiciary. December 5, reported favorably, read second, calendar. December 8, read third, passed. December 8, signed.

By Mr. Lipscomb—

H. 304. To declare vacant the office of solicitor for Jefferson county, and to provide for filling the vacancy.

December 1, read first, referred, judiciary. December 4, adverse report concurred in.

By Mr. Greene—

H. 305. To punish the unlawful, wanton or reckless discharge of fire arms in a public place.

January 22, read first, referred, judiciary.

By Mr. Davis—

H. 310. To regulate and fix the fees of the constable of Winfield beat No. 14, in Marion county, Alabama.

January 23, read first, referred, local legislation. January 26, reported favorably, read second. February 5, amended, read third, passed. February 6, house concurred, senate amendment. February 8, signed.

By Mr. Sheldon—

H. 311. To amend an act entitled an act to amend section 3682 of the Code of Alabama, approved February 26th, 1889.

January 22, read first, referred, judiciary. January 28, reported favorably, read second. February 8, read third, passed. February 9, signed.

By Mr. Hill—

H. 313. To incorporate the Independent Fire Company No. 1, of the town of Highland Park.

January 26, read first, referred corporations. January 29, reported favorably, read second. February 8, read third, passed. February 9, signed.

By Mr. Smith of Tallapoosa—

H. 315. To authorize the constable of Dadeville beat No. 7, Tallapoosa county, to appoint deputies.

January 22, read first, referred judiciary. January 25, reported favorably, read second.

H. 316. For the relief of Wm. C. Roeck, clerk of the circuit court of Tallapoosa county.

February 3, read first, referred finance and taxation. February 6, reported favorably, read second, calendar. February 13, amend-

ed, read third, passed. February 15, house concurs. February 15, signed.

By Mr. Turner—

H. 319. For the relief of D. C. McInnis of Mississippi.

January 21, read first, referred judiciary. January 25, returned, referred finance and taxation. January 30, reported favorably, read second. February 8, read third, passed. February 9, signed.

By Mr. Graves (by request)—

H. 321. For the relief of John T. Bell and making an appropriation to refund to him two hundred dollars, the same being money that he paid into the State treasury on the 9th day of January, 1896, for a license to do business as a wholesale liquor dealer in the town of Clayton, Barbour county, Alabama, but immediately thereafter he discontinued business as such wholesale dealer, made application to have said wholesale license changed to a retail license, which application was refused, thereby forcing him to pay into the treasury a similar sum for a license to sell liquors at retail in said town of Clayton, thereby paying into the treasury money for two licenses while he operated under but one.

January 23, read first, referred finance and taxation. January 27, reported favorably, read second. February 6, tabled.

By Mr. Coleman—

H. 324. To authorize the court of county commissioners of Calhoun county to issue and sell bonds of said county not exceeding seventy-five thousand dollars, for the purpose of paying the outstanding county warrants.

January 23, read first, referred municipal and county organizations. January 27, reported favorably with amendment, read sec-

ond. February 6, amendment adopted, read third, passed. February 6, vote reconsidered, amendment adopted, read third, passed. February 8, house concurs in senate amendment. February 9, signed.

H. 326. To repeal an act entitled an act to amend an act entitled an act to better provide for keeping up the public roads of Escambia county, which became a law February 15, 1893.

January 27, read first, referred local legislation.

By Mr. Meador—

H. 331. To repeal an act entitled an act to provide for refunding of taxes improperly paid, approved February 18, 1891.

February 4, read first, referred finance and taxation. February 11, reported favorably, read second, calendar. February 13, read third, passed. February 15, signed.

H. 332. To repeal sections 1, 2, 3 and 4 of an act entitled "an act to provide for returning and allowing proper credits for taxes wrongfully assessed and collected," approved December 6, 1888.

February 4, read first, referred finance and taxation. February 11, reported favorably, read second, calendar. February 13, read third, passed. February 15, signed.

By Mr. Hibbard—

H. 334. To prevent stock from running at large in certain parts of Monroe county.

January 21, read first, referred local legislation. January 23, reported favorably, read second. January 27, amended, adopted, read third, passed. January 28, house concurs, signed.

By Mr. Mills—

H. 337. To establish a county school book board to select a uniform series of text books for use in

the public schools in the counties of Sumter and Madison.

January 21, read first, referred education. January 27, reported favorably, read second. February 6, read third, passed. February 8, signed.

By Mr. Smith of Tallapoosa—

H. 338. To better regulate the sale of intoxicating liquors in the city of Camp Hill, in Tallapoosa county.

February 15, read first, referred temperance. February 16, reported favorably, read second, calendar.

By Mr. Cameron—

H. 342. To create a separate school district to be known as Belmont school district in Sumter county, and to define the boundaries thereof.

December 8, read first, referred education. January 22, reported favorably, read second, calendar. January 28, read third, passed. January 29, signed.

By Mr. Sheldon—

H. 345. To establish an inferior court for the county of Mobile, to define its jurisdiction, and to regulate the proceedings therein.

January 29, read first, referred judiciary.

By Mr. Troup (by request)—

H. 346. To fix the time of holding the fall terms of the chancery court for the counties of Colbert, Lauderdale, Lawrence and Franklin, in the northern chancery division.

January 23, read first, referred judiciary.

By Mr. Shamblin—

H. 347. To establish a criminal court for the county of Cherokee, with criminal jurisdiction in misdemeanor cases, and to provide for appointment of a judge and solicitor for such court.

January 26, read first, referred judiciary. January 30, reported favorably, read second. February 2, recommitted judiciary. February 5, reported favorably with substitute, read second, calendar. February 13, bill and substitute tabled.

H. 348. To establish the Jamestown school district in Cherokee county.

February 3, read first, referred corporations. February 5, reported favorably, read second, calendar. February 13, read third, passed. February 15, signed.

H. 349. To establish the Blanch school district in Cherokee county.

January 29, read first, referred education. January 30, reported favorably, read second. January 30, recommitted education. February 8, read third, passed. February 9, signed.

By Mr. Lewis--

H. 351. To prohibit the manufacture, sale, giving away or otherwise disposing of any distilled, vinous, malt or alcoholic liquors of any kind within five miles of the Elba high school in the town of Elba, Coffee county, Alabama.

December 1, read first, referred temperance. December 2, reported favorably, read second, calendar. December 5, read third, passed. December 7, signed.

By Mr. Simmons—

H. 353. To amend section one of an act entitled an act for the preservation of game in Conecuh county, approved December 11, 1894.

February 1, read first, referred local legislation. February 4, reported favorably, read second, calendar. February 12, read third, passed. February 13, signed.

By Mr. Eiland—

H. 354. To establish a separate school district in townships 10 and 11 of range 18, Crenshaw coun-

ty, Alabama, to be known as the Bradleyton school district.

February 4, read first, referred, education. February 6, reported favorably, read second, calendar. February 13, read third, passed. February 16, signed.

By Mr. Tunstall—

H. 357. To prevent and punish the making and certifying of false and fraudulent abstracts of title.

February 13, read first, referred, judiciary.

By Mr. Wood of Macon—

H. 359. To regulate the sale of spirituous, vinous and malt liquors in the town of Tuskegee, Alabama.

December 4, read first, referred, temperance. December 8, reported favorably, read second. December 9, read third, passed. December 9, signed.

By Mr. Davis—

H. 361. To amend section 3 of "an act to establish five additional branch agricultural experiment stations and agricultural schools, to be located in the 1st, 4th, 5th, 6th and 9th congressional districts, respectively, in the State of Alabama," approved Feb. 18, 1895.

December 4, read first, referred, agriculture. January 23, reported favorably with substitute, read second. January 28, substitute adopted, read third, passed. January 29, house concurs, signed.

By Mr. Sheldon—

H. 363. To repeal the criminal and quasi criminal jurisdiction of justices of the peace of Mobile county.

January 26, read first, referred, judiciary.

By Mr. Wiley—

H. 365, To establish the convict and prison bureau, to provide for the administration of the business of such bureau and the inspection of prisons and jails.

February 4, read first, referred, penitentiary, amended. February 13, reported favorably, read second, calendar.

By Mr. Appling—

H. 368. To provide for the better support and maintenance of the public schools of Walker county, Alabama.

February 4, read first, referred, education. February 6, reported favorably, read second, calendar. February 13, read third, passed. February 15, signed.

By Mr. Jenkins—

H. 369. To provide the ways and means to improve, work and keep in good condition the public roads and bridges in Wilcox county.

February 5, read first, referred, municipal and county organizations.

By Mr. Killen—

H. 370. To establish a uniform series of school books to be taught in the public schools of Lauderdale county, Alabama, and to provide for a board to select the same.

January 27, read first, referred, education. January 28, reported favorably, read second. February 6, read third, passed as amended. February 8, house concurred senate amendment. February 9, signed.

By Mr. Barron—

H. 372. To amend an act entitled "an act to amend the charter of the city of Uniontown, county of Perry, State of Alabama," approved February 16, 1891.

November 30, read first, referred, local legislation. December 1, reported favorably, read second, calender. December 2, read third, passed. December 4, signed.

By Mr. Love—

H. 373. To prevent persons who make loans or advance money or other thing of value upon cotton or agricultural products to be delivered in the future from exacting or contracting for commissions for selling or storing cotton or other agricultural products not actually grown by the borrower or by his tenants on his own lands, or cotton controlled by him, except in the county of Lamar.

January 28, read first, referred, judiciary. February 10, read second, calendar.

By Mr. Tunstall—

H. 375. To amend an act to better prevent the commission of trespass upon lands in precincts Nos. four, five, six, seven, eight, nine and fifteen, in Hale county, Alabama.

January 29, read first, referred, judiciary. February 2, reported favorably, read second. February 9, amendment adopted, read third, passed. February 10, house concurs. February 11, signed.

By Mr. Jenkins—

H. 376. To authorize the secretary of State to sell copies of the Code of 1886, now on hand in his office.

January 29, read first, referred, printing. January 30, reported favorably, read second. February 8, read third, passed. February 9, signed.

By Mr. Lloyd (by request)—

H. 380. To regulate the fine and forfeiture fund of Elmore county, and to better provide for the

payment of claims registered against said fund by appropriating from the general fund to the fine and forfeiture fund money to pay registered claims against said fine and forfeiture fund, and to provide for the payment of fines assessed or forfeitures rendered by a competent court in fine and forfeiture script of said county.

December 5, read first, referred, local legislation. December 7, reported favorably, read second, calendar. December 8, special order January 20, 12 m. January 20, recommited to local legislation. January 23, reported favorably with amendment, read second. January 28, amendment adopted, read third, passed, house concurs. January 30, signed.

By Mr. Carmichael—

H. 382. To provide for the extension of stock law in Clay county.

January 30, read first, referred local legislation. February 1, reported favorably, read second. February 9, read third, passed. February 11, signed.

By Mr. Beeson—

H. 383. To prohibit the sale, giving away or otherwise disposing of spirituous, vinous or malt liquors or other intoxicating drinks within five miles of Smith's Chapel, Methodist Church and Phillippi Church at Mountainboro.

December 7, read first, referred, temperance. January 26, reported favorably, read second January 30, recommitted to temperance. February 2, reported favorably, read second. February 6, amendment adopted, read third, passed. February 8, house concurred, senate amendment. February 9, signed.

By Mr. McCollum—

H. 384. To amend secton 4 of an act entitled an act to more effectually secure competent and well qualified jurors in the several counties of this State, approved February 28, 1887, so far as the same applies to Fayette county.

January 28, read first, referred, judiciary. February 2, reported favorably, read second. February 9, read third, passed. February 11, signed.

By Mr. Canant—

H. 385. To authorize the construction of tramways, pole roads, canals and ditches and for the establishment of dirt roads by corporations, associations, partnerships and individuals in the counties of Coffee, Dale and Geneva.

December 7, read first, referred, commerce and common carriers. December 8, reported favorably with amendment, read second. December 9, special order second Monday after recess, February 1st. January 21, recommitted to commerce and common carriers.

By Mr. Espy—

H. 386. To prohibit the sale, giving away or otherwise disposing of vinous, spirituous or malt liquors, intoxicating ciders or bitters or beverages within a radius of six miles of the Methodist church in Gordon, Henry county, Alabama.

January 28, read first, referred, temperance. January 29, reported favorably, read second. January 30, recommitted to temperance. February 2, reported favorably, read second. February 5, read third, passed. February 6, signed.

By Mr. Altman—

H. 389. To authorize the owners of the lands formerly

belonging to the East Birmingham Land Company to vacate and close up certain streets and avenues appearing upon the map of said lands.

December 7, read first, referred, corporations. December 8, reported favorably, read second, calendar. December 9, read third, passed. December 9, signed.

By Mr. Altman—

H. 390. To confirm and amend the charter of the "Alabama Home Building and Loan Association," approved February 21st, 1893.

February 12, read first, referred to corporation. February 13, read second, calendar. February 15, read third, passed. February 16, signed.

By Mr. Lipscomb—

H. 393. To regulate the payment of the wages of employes, engaged in mining and manufacturing, in the counties of Jefferson, Walker, Blount and Bibb.

January 27, read first, referred to corporation, January 29, reported favorably read second. January 30, special order Thursday after report of committee. February 4, indefinently postponed.

By Mr. Abercrombie—

H. 395. To amend section 1, of an act entitled an act, to amend an act entitled an act, to incorporate the town of Moulton in Lawrence county, Alabama, approved February 18, 1895.

December 7, read first, referred to municipal and county organization. January 23, reported favorably, read second. January 29, read third, passed. January 30, signed.

By Mr. Baker (by request)—

H. 396. To prohibit the sale or giving away or other-

wise disposing of vinous, spiritious, or malt liquors, or intoxicating bitters or beverages, within beat number ten in Lee county.

January 29, read first, referred to temperance. January 30, reported favorably, read second. January 30, recommitted to temperance. February 2, reported favorably, read second. February 9, amended read third, passed. February 10, house non-concurs committe of conference report. February 12, concurs committee conference report. February 13, signed.

By Mr. Gaston—

H. 401. To amend sections 3 and 4 of an act entitled an act, to prevent stock from running at large in the several beats of Randolph and Calhoun counties and authorize elections thereon.

February, 1, read first, referred to local legislation. February 4, reported favorably, read second, calendar. February 12, read third passed. February 13, signed.

By Mr. Brandon—

H. 402. To prevent overcharges on freight rates by any railroad company or persons operating a railroad, in this State, and to provide for a speedy collection or overcharges.

February 15, read first, referred to judiciary. February 16, reported favorably, read second, calendar. February 18, amended, tabled.

By Mr. Altman—

H. 403. For the relief of Ed. J. Hall and J. J. Odam, and to refund to them the sum of two hundred and forty dollars, a part of the amount paid by them for license to retail liquor which license was afterwards revoked.

January 30, read first, referred to finance and taxation. February 12, read second,

calendar. February 15, amended adopted, read third, passed. February 16, house concurs. February 18, signed.

By Mr. Mitchell—

H, 404. To better provide for the establishment and working of the public roads in Lauderdale county, Alabama.

February 5, read first, referred local legislation. February 9, reported favorably, read second, February 15, read third, passed. February 16, signed;

By Mr. Lavender—

H. 405. To incorporate the town of West Blocton, Alabama.

February 4, read first, referred to municipal and county organization. February 5, reported favorably, read second, calendar with amendment. February 15, amended, adopted, read third, passed. February 15, house concurs. February 16, signed.

By Mr. Stewart—

H. 406. To establish a separate school district to be known as the Summit school district in Blount county Alabama.

February 3, read first, referred to education. February 4, reported favorably, read second, calendar. February 12, read third, passed. February 13, signed.

By Mr. Beeson—

H. 414. To amend an act entitled an act to establish a new charter for the town of Attalla, approved February 28th, 1889.

February 5, read first, referred to municipal and county organization. February 10, read second calendar. February 15, read third, passed. February 16, signed.

By Mr. Altman—

H. 418. To incorporate the Life and Accident Association of Birmingham, Alabama.

December 7, read first, referred to corporations. December 8, reported favorably, read second, calendar. December 9, read third, passed. December 9, signed.

By Mr. Hunt—

H. 420. To authorize the mayor and aldermen of the city of Huntsville to issue bonds of said city for an amount not exceeding thirty thousand dollars for the exclusive purpose of building and repairing and constructing sewers.

January 21, read first, referred to judiciary. January 25, reported favorably, read second. January 30, as ameded, read third, passed, house non-concurs committee of conference, asked conference report concurred in. February 2, signed.

By Mr. Townsend—

H. 422. To provide the per diem and mileage of witnesses for the State before the criminal court of Pike county, Alabama, and to make such fees in cases where the State fails to convict, recivable in payment of fines and forfeitures accuing in said court.

February 15, read first, referred tojudiciary.

By Mr. Gaston (by request)--

H. 423. To change the line dividing the Eastern stock law district of Wedowee beat, precinct No. six Rannolph county, Alabama, from the Western stock law pistrict of said beat, as the same was made by the commissioners court of said Randolph county, Alabama, and spread upon the minutes of said court.

February 13, read first, referred to local February 15, reported favorably, read second,

calendar. February 16, read third passed. February 18, signed.

By Mr. Stewart—

H. 427. To annual, abolish and discontinue the incorporation of the town of Blountsville in Blount county, to provide for the payment of the outstanding indebtedness of said town, and for the sale of its property.

January 29, read first, referred to municipal and county organization, February 2. reported favorably, read second. February 9, read third, passed. February 11, signed.

By Mr. Brothers—

H. 428. To constitute the town of Jacksonville, Alabama, a separate school district.

February 13, read first, referred to education. February 15, reported favorably, read second, calendar. February 16, read third, passed. February 18, signed.

By Mr. Shamblin—

H. 429. To authorize the commissioners court of Cherokee, Etowah and DeKalb counties, to levy a tax for working the public roads of said counties and to let out said roads by contract, approved February 18th, 1895.

February 15, read first, referred to local legislation. February 16, reported favorably read second, calendar. February 18, read third, passed; signed

H. 431. Prohibiting the sale or giving away of any spirituous, vinous or malt liquors within five miles of any school house or church of any denomination in Cherokee county.

February 5, read first, referred temperance. February 10, read second, calendar. February 15, read third, passed. February 16, signed.

H. 432. To incorporate the Cherokee Normal Institute in Cherokee county, Alabama.

sale of poisons in cities and towns of more than one thousand inhabitants in the State of Alabama, approved February 28th, 1887.

February 1, read first, referred to public health. February 9, reported favorably, with amendment, read second. February 16, amendment adopted, read third, passed. February 18, house concurred, signed.

By Mr. Appling—

H. 462. To better define the boundaries of the city of Jasper, Walker county, Alabama.

December 7, read first, municipal and county organizations. December 8, reported favorably, read second. December 9, special order January 25, 12 M.

By Mr. Reynolds—

H. 464. To prohibit the sale, giving away, delivering or otherwise disposing of any spirituous, vinous or malt liquors or intoxicating bitters, beverages or drinks within the limits of Chilton county, Alabama.

February 5, read first, referred to temperance. February 10, read second, calendar. February 15, read third, passed. February 16, signed.

By Mr. Pool—

H. 465. To require the re-registration of existing claims against the fine and forfeiture fund of Lowndes county, Alabama, and to prescribe the time within which future claims against such fund shall be certified to and registered.

January 29, read first, referred to finance and taxation. February 2, reported favorably, read second. February 9, read third, passed. February 11, signed.

By Mr. Kyle—

H. 466. To amend an act entitled an act to regulate

By Mr. Davis—

H. 449. To amend section 2 of an act to create the 11th judicial circuit of the State of Alabama, to fix the time of holding court therein, to provide for the appointment of a judge for said circuit and the election of a solicitor for said circuit, approved, December 7th, 1894.

December 3, read first, referred to judiciary. December 7, reported favorably, read second, calendar. December 8, read third, passed. December 8, signed.

By Mr. Hill—

H. 452. To authorize and empower the Georgia and Alabama Railway to have as many as fifteen directors.

January 25, read first, referred to commerce and common carriers. January 26, reported favorably, read second. February 6, read third, passed. February 8, signed.

By Mr. McGuire—

H. 454. To amend an act for the preservation of game, animals and birds in Russell county, approved February 21st, 1893.

January 29, read first, referred to commerce and common carriers. January 30, reported favorably, read second. February 8, read third, passed. February 9, signed.

By Mr. Cameron—

H. 461. To amend sections one and two of an act entitled an act to amend sections one, two and eleven of an act entitled an act to regulate the practice of pharmacy and the sale of poisons in towns and cities of more than one thousand inhabitants in the State of Alabama, approved February 25th, 1889, and to amend sections four, six, eight and nine of, and to add section sixteen to an act entitled an act to regulate the practice of pharmacy, and the

sale of poisons in cities and towns of more than one thousand inhabitants in the State of Alabama, approved February 28th, 1887.

February 1, read first, referred to public health. February 9, reported favorably, with amendment, read second. February 16, amendment adopted, read third, passed. February 18, house concurred, signed.

By Mr. Appling—

H. 462. To better define the boundaries of the city of Jasper, Walker county, Alabama.

December 7, read first, municipal and county organizations. December 8, reported favorably, read second. December 9, special order January 25, 12 M.

By Mr. Reynolds—

H. 464. To prohibit the sale, giving away, delivering or otherwise disposing of any spirituous, vinous or malt liquors or intoxicating bitters, beverages or drinks within the limits of Chilton county, Alabama.

February 5, read first, referred to temperance. February 10, read second, calendar. February 15, read third, passed. February 16, signed.

By Mr. Pool—

H. 465. To require the re-registration of existing claims against the fine and forfeiture fund of Lowndes county, Alabama, and to prescribe the time within which future claims against such fund shall be certified to and registered.

January 29, read first, referred to finance and taxation. February 2, reported favorably, read second. February 9, read third, passed. February 11, signed.

By Mr. Kyle—

H. 466. To amend an act entitled an act to regulate

the issue of garnishments and the proceedings thereon in the county of Morgan, approved February 1st, 1895, so that it will read as follows:

December 7, read first, referred to judiciary. January 8, reported favorably, read second, calendar. December 9, read third, passed. December 9, signed.

By Mr. Coleman—

H. 469. To incorporate the West Anniston Hose Co. No. 4, located in the city of Anniston, Calhoun county, Ala.

January 30, read first, referred to corporations. February 3, reported favorably, read second. February 10, read third, passed. February 11, signed.

By Mr. Coleman—

H. 470. To incorporate the Glen Addie Volunteer Hose Company No. 2, located in the city of Anniston, Calhoun county, Alabama.

February 3, read first, referred to corporations. February 5, reported favorably, read second, calendar. February 13, read third, passed. February 15, signed.

By Mr. Cofer—

H. 472. To prevent any stallion over two years old or bull or boar over six months old from running at large in Cullman county.

February 15, read first, referred to local legislation. February 16, reported favorably, read second, calendar.

By Mr. Glover—

H 474. To amend an act to prevent hunting on land without written consent of owner or his agent in Dallas, Madison, Autauga, Macon, Sumter, Talladega, Bullock, and Oak Grove, Perryville and Radfordville beats of Perry

county, and beats number two and nine in Hale county, approved February 18, 1891.

January 28, read first, referred to local legislation, February 1, reported favorably, read second. February 9, read third, passed. February 11, signed.

By Mr. Killen—

H. 478. To prohibit the sale of spirituous, vinous and malt liquors within one mile of the public school house in the village of St. Florian in the county of Lauderdale, Alabama.

December 3, read first, referred to temperperance. December 4, reported favorably, read second, calendar. December 5, read third, passed. December 7, signed.

By Mr. Delchamps—

H. 479. To repeal an act approved February 18th, 1895, entitled an act to amend section one of an act entitled an act to amend section two of an act entitled an act to amend sections one and twelve of an act entitled an act to regulate the taking of oysters from the public reefs in this State, for sale or planting, approved December 10th, 1892, and to repeal an act entitled an act to regulate the planting and taking of oysters in the waters of this State, approved February 18th, 1891, which act hereby amended was appproved December 14th, 1894. And to repeal sections ten and thirteen of an act entitled "an act to regulate the taking of oysters from the public reefs in this State for sale or planting, approved December 10th, 1892.

February 2, read first, referred to local legislation. February 5, reported favorably, read second, calendar. February 12, read third, passed, February 13, signed.

By Mr. Delchamps—

H. 480. To repeal sections 6, 7, 8, 11, 12, 13, 14, 15,

16, 19, 20, 23 and 24 of an act entitled an act to regulate the taking of oysters from the public reefs in this State, for sale or planting, approved December 10th, 1892,

February 2, read first, referred local legislation. February 5, reported favorably, read second, calendar, February 12, read third, passed. February 13, signed.

H. 481. To repeal an act approved December 14th, 1894, entitled an act to amend section two of an act entitled an act to amend sections one and twelve of an act entitled an act to regulate the taking of oysters from the public reefs in the State for sale or planting, approved December 10th, 1892, and to repeal an act to regulate the planting and taking of oysters in the waters of this State, approved February 18th, 1891, which act was approved February 14, 1893.

February 2, read first, referred local legislation. February 5, reported favorably, read second, calendar. February 12, read third, passed. February 13, signed.

H. 482. To repeal section two of an act approved February 14th, 1893, entitled an act to amend sections one and twenty of an act entitled an act to regulate the taking of oysters from the public reefs in the State for sale or planting, approved December 10th, 1892, and to repeal an act entitled an act to regulate the planting and taking of oysters in the waters of this State, approved February 18th, 1891.

February 2, read first, referred local legislation. February 5, reported favorably, read second, calendar. February 12, read third, passed. February 13, signed.

By Mr. Kyle—

H. 485. To amend section 2322 of the code of 1886.

February 13, read first, referred judiciary.

By Mr. Cameron—

H. 489. To prevent the sale, giving away or otherwise disposing of cigarettes, cigarette tobacco or cigarette papers or any substitute for any of them in the State of Alabama.

February 15, read first, referred public health. February 16, reported favorably, read second, calendar, recommitted to judiciary.

By Mr. Wiley—

H. 490. To appropriate money to reimburse certain insurance companies for amounts illegally paid by them into the State treasury under an act approved February 18th, 1893, entitled an act to require all corporations to pay a fee or license, for the use of the State, before commencing business in this State.

February 1, read first, referred finance and taxation. February 4, reported favorably, read second. February 10, read third, lost. February 10, reconsidered, read third, passed. February 11, signed.

By Mr. Reynolds—

H. 491. For the relief of J. C. Landford, Elizabeth Hunt, Mattie Mooney and Narcissa Durbin of Chilton county, widows of confederate veterans who failed to make application under an act entitled an act for the relief of needy confederate soldiers and sailors, residents of Alabama, who from wounds or other causes are now unable to earn a livelihood and for the widows of such as were killed or died in said war and have not since remarried, approved February 13th, 1891.

February 5, read first, referred, finance and taxation. February 9, reported favorably, read second, calendar. February 12, read third, passed. February 13, signed.

By Mr. Joseph—

H. 492. For the relief of H. W. Slaughter and the es-

tate of W. H. Slaughter, deceased.

February 6, read first, referred finance and taxation. February 9, reported favorably, read second. February 15, read third, passed. February 16, signed.

By Mr. Stansel (by request)—

H. 494. For the relief of Burt Upchurch late clerk of the circuit court of Pickens county, and his sureties on his official bond, to-wit, John Upchurch, James V. McCafferty and Henry B. Latham.

January 29, read first, referred finance and taxation.

By Mr. Cofer—

H. 497. To create a separate school district in portions of Cullman and Marshall counties.

February 5, read first, referred education. February 6, reported favorably, read second, calendar. February 13, read third, passed. February 15, signed.

By Mr. Wood of Macon—

H. 501. To amend section 1 of an act entitled an act to prohibit stock from running at large in beats number four, five and six and the southern parts of beats number one and three, and the western part of beat number seven in Macon county, Alabama, approved February 18th, 1885.

January 29, read first, referred local legislation. February 1, reported favorably, read second. February 9, read third, passed. February 11, signed.

By Mr. Kyle—

H. 503. To regulate the payment of claims against the fine and forfeiture fund of Morgan county, Alabama.

January 29, read first, referred local legislation. February 5, reported favorably, read

second, calendar. February 13, read third, passed. February 15, signed.

By Mr. Stansel—

H. 504. To reduce the corporate limits of the town of Carrollton in Pickens county.

February 6, read first, referred municipal and county organizations. February 8, reported favorably, read second. February 15, read third, passed. February 15, signed.

By Mr. Gaston (by request)—

H. 505. To establish a separate school district to be known as Flat Rock district in Randolph county.

December 9, read first, referred education. January 22, reported favorably, read second, calendar. January 28, read third, passed. January 29, signed.

By Mr. Gaston—

H. 506. Making the fees of the officers of the court arising from certain criminal cases, in Randolph county a claim and charge against the fine and forfeiture fund of said county and to provide for their registration and payment.

Feb. 15, read first, referred finance and taxation. February 16, reported favorably, read second, calendar. February 18, read third, passed, signed.

By Mr. Appling (by request)—

H. 507. To provide for a charter for the town of Horse Creek, Walker county, Alabama.

February 12, read first, referred municipal and county organizations, February 16, reported favorably, read second, calendar. February 18, read third, passed, signed.

By Mr. Bouldin—

H. 511. To amend an act entitled an act to create and

establish an industrial school for white girls in the State of Alabama.

February 6, read first, referred to education. February 12, reported favorably, read second, calendar. February 15, read third, passed. February 16, signed.

By Mr. Kennamer—

H. 512. To preserve game animals and birds in the county of Marshall.

February 9, read first, referred local legislation. February 10, read second calendar.

By Mr. Dreyspring—

H. 517. For the preservation of game in Montgomery county.

January 27, read first, referred local legislation. January 28, reported favorably, read second. February 6, read third, amended, passed. February 8, house concurs in senate amendment. February 9, signed.

By Mr. Darby—

H. 518. To amend sections 2 and 20 of an act to establish a charter for the town of Brundidge in Pike county, Alabama, approved February 21st, 1893.

January 29, read first, referred to municial and county organizations. February 3, reported favorably and read second, calendar. February 9, read third, passed. February 11, signed.

By Mr. Knowles—

H. 519. To provide for the permanent location of the county site of Russell county by a vote of the qualified electors of said county, and to provide for the disposition of the court house and jail now located at Seale in the event the county site is permanently located at Girard, and for other purposes.

January 27, read first, referred municipal and county organizations. January 28, reported favorably, read second. February 6, amendment adopted, read third, passed. February 8, house non-concurs in senate amendment. February 9, senate concurs in report of conference committee, also house concurs in report of conference committee. February 11, signed.

By Mr Smith of Tallapoosa—

H. 520. To create a separate school district in beat 1, T. 21 and 22, R. 21 in Tallapoosa county, Alabama.

February 6, read first, referred, education. February 9, reported favorably, read second. February 13, read third, passed. February 15, signed.

By Mr. Browne of Talladega—

H. 521. To more effectively protect the people against combinations, conspiracies and agreements between insurers whereby rates of insurance are raised or fixed.

February 6, read first, referred, judiciary. February 12, reported favorably, read second, calendar. February 18, read third, passed, signed.

By Mr. Merrill—

H. 524. To amend an act entitled an act to fix the time and place of holding circuit court in the third judicial circuit, approved December 17, 1894.

January 28, read first, referred to judiciary, February 3, reported favorably, read second, calendar. February 10, read third, passed. February 11, signed.

By Mr. Graves—

H. 525. To prohibit the sale, giving away or disposing of spirituous, vinous or malt liquors or any

intoxicating bitters or beverages within one mile of Old Mt. Zion Baptist church, Barbour county.

January 28, read first, referred, temperance. January 29, reported favorably, read second, January 30, recommitted temperance. February 2, reported favorably, read second. February 8, read third, passed. February 9, signed.

By Mr. Tunstall—

H. 532. To relieve Kitty Seay May of Hale county of the disabilities of non-age.

December 5, read first, referred to judiciary, December 8, reported favorably, read second, calendar. December 9, read third, passed. December 9, signed.

By Mr. Brown of Jefferson—

H. 533. To establish a separate school district to be known as the Pinson school district in Jefferson county.

February 15, read first, referred to education. February 16, reported favorably, read second, calendar. February 18, read third, passed. February 18, signed.

By Mr. Nesmith—

H. 534. To incorporare the town of Sulligent in the county of Lamar, State of Alabama.

January 29, read first, referred municipal and county organization. February 2, reported favorably, read second. February 9, read third, passed. February 9, signed.

By Mr. Mitchell—

H. 535. To provide for the more efficient assessment and collection of taxes in the State of Alabama.

January 27, read first, referred finance and taxation. January 30, reported favorably,

read second. January 30, special order February 1 after journal. February 1, amendment read third, passed. February 1, house non-concurs, ask committee on conference senate accedes. February 1, conference report concurred in. February 3, signed.

By Mr. Davis—

H. 543. To require the tax assessor and tax collector of Marion county to keep their offices within one mile of the court house.

January 28, read first, referred finance and taxation. February 6, reported favorably, read second, calendar. February 13, amendment adopted, read third, passed. February 13, house concurrs. February 15, signed.

By Mr. Mitchell—

H. 549. To amend section 34 of an act entitled an act to create a new charter for the city of Florence, Alabama, approved February 28th, 1889, and to authorize the city of Florence to issue bonds to purchase water works, and also to give a mortgage on said water works.

February 4, read first, referred municipal and county organization. February 8, reported favorably, read second. February 13, read third, passed. February 15, signed.

By Mr. Cofer—

H. 550. To establish the Bremen school district in Cullman county, Alabama.

January 30, read first, referred education. February 4, reported favorably, read second, calendar. February 12, read third, passed. February 13, signed.

By Mr. Meadow—

H. 556. To regulate the running at large of stock in certain portions of Marengo county.

January 21, read first, referred local legis-

lation. January 26, reported favorably, read second. February 6, read third, passed amendment. February 8, house concurs senate amendment. February 9, signed.

H. 557. To establish a separate school district in and for the city of Demopolis, and the police jurisdiction thereof in Marengo county, Alabama, and to provide means to support said separate school district.

January 29, read first, referred corporation. January 30, reported favorably, read second. January 30, recommitted education. February 8; read third, passed. February 9, signed.

By Mr. Knowles, (by request)—

H. 560. To prohibit the sale of, or giving away or otherwise disposing of vinous, spiritous or malt liquors or intoxicating bitters, beverages, or other intoxicating drinks within beat number one (commonly known as Girard, beat) in Russell county.

February 2, read first, referred temperance. February 10, read second, calendar. February 12, amendment read third, passed. February 13, house concurs. February 13, signed.

By Mr. Brandon—

H. 563. To relieve Rufus M. Cross of the disabilities of non-age.

January 30, read first, referred judiciary, February 3, reported favorably, read second. February 10, read third, passed. February February 11, signed.

By Mr. Reynolds—

H. 565. To authorize the preparation and filling of a jury box for Chilton county, to legalize the same, and provide for drawing the jurors for the courts to be held in said county,

February 3, read first, referred judiciary. February 5, reported favorably, read second, calendar. February 13, read third, passed. February 15, signed.

By Mr. Hunt—

H. 569. To declare void certain sales of real estate in Madison county for delinquent taxes for the year 1895, and to require the tax assessor to assess such real estate as required by law.

February 4, read first, referred to finance and taxation. February 11, reported favorably, read second, calendar.

H. 570. For the relief of A. J. Eslanger, late tax collector of Madison county.

February 5, read first, referred finance and taxation. February 11, reported favorably, read second, calendar.

By Mr. Lewis—

H. 571. To establish a separate school district to be known as the Heath district in Coffee county, Alabama.

February 13, read first, referred education. February 15, reported favorably, read second, calendar. February 16, read third, passed. February 18, signed.

By Mr. Smith of Dallas—

H. 593. To provide for repairing and furnishing the capitol and capitol grounds.

January 28, read first, referred finance and taxation. January 30, reported favorably, read second. February 3, read third, passed. February 4, signed.

By Mr. Davis—

H. 575. To amend section 84 of an act to regulate the management of State and county convicts, approved February 18th, 1895, so far as relates to Marion and Bibb counties.

January 27, read first, referred penitentiary. February 2, reported favorably, read second. February 9, read third, passed. February 11, signed.

By Mr. Hampton—

H. 576. To amend section one of an act to prevent hogs from running at large in Madison county, approved February 16, 1891.

January 97, read first, referred local legislation. January 28, reported favorably, read second. February 6, read third, passed. February 8, signed.

By Mr. Jenkins—

H. 577. To prevent the obstruction of creeks and streams of running water in Wilcox county by throwing into the same any rocks, brush, logs, and trees.

January 29, read first, referred local legislation. February 1, reported favorably, read second. February 9, read third, passed. February 11, signed.

By Mr. Beeson (with notice and proof)—

H. 582. For the relief of James McClendon, an ex-commissioner of DeKalb county, Alabama.

January 29, read first. referred finance and taxation.

By Mr. Brandon (by request)

H. 587. To appropriate one thousand dollars to complete the erection of a monument to the Alabama soldiers who fell in the late war between the states.

February 12, read first, referred finance and taxation. February 15, reported favorably, read second, calendar. February 15, special order Thursday. February 18, read third, passed, signed.

By Mr. Altman (by request)—

H. 589. To incorporate the Colonial Investment Company.

January 27, read first, referred corporation. January 28, reported favorably, read second, calendar. January 29, read third, passed. January 30, signed.

By Mr. Lloyd—

H. 592. To authorize the mayor and council of the town of Georgiana to negotiate a loan for the purposes of establishing sanitary sewerage and public water supply in the town of Georgiana, and to issue bonds for the payment of said loan,

February 2, read first, referred judiciary. February 9, reported favorably, read second. February 13, read third, passed. February 15, signed.

By Mr. Kennamer—

H. 598. To prohibit the sale or giving away of alcoholic, spirituous, vinous or malt liquors within three miles of the Methodist church, Methodist Episcopal church, and Baptist church, within the town of Boaz, Marshall county.

January 29, read first, referred to temperance. February 5, reported favorably, read second, calendar with amendment. February 13, amended, read third, passed. February 13, house concurs. February 15, signed.

By Mr. Eiland—

H. 601. To establish a system for working roads in Crenshaw county and to authorize the commissioners court of Crenshaw county to levy and collect a tax for working the public roads of said county, and to let out said roads by contract.

February 1, read first, referred to local legislation. February 4, reported favorably, read second, calendar. February 12, read third, passed. February 13, signed.

By Mr. McCollum—

H. 603. To prohibit the sale, giving away or otherwise disposing of spirituous or malt liquors or any intoxicating bitters within four miles of the Tuskaloosa district high school situated at Berry station, Fayette county, Ala.

February 2, read first, referred to temperance. February 6, reported favorably, read second, calendar. February 12, read third, passed. February 13, signed.

By Mr. Gast (by request)—

H. 604. To prohibit the sale, giving away or otherwise disposing of spirituous, vinous or malt liquors or intoxicating bitters at or within two and one half miles of Thorp Spring Baptist church, situated in Stouts beat, Franklin county.

January 28, read first, referred to temperance. January 29, reported favorably, read second. January 30, recommitted to temperance. February 2, reported favorably, read second. February 8, read third, passed. February 9, signed.

H. 610. To establish a separate school district in Franklin county, Alabama, to be known as the Belgreen school district and to fix the boundaries of same.

February 1, read first, referred to local legislation. February 4, recommitted to education. February 6, reported favorably, read second, calendar. February 13, read third, passed, February 15, signed.

By Mr. Brown of Jefferson—

H. 612. To establish, organize and maintain a system of public schools in Woodlawn, Jefferson

county, Alabama, and to levy and collect tax for the support of said schools.

January 30, read first, referred to education. February 12, read second, calendar. February 13, amended, read third, passed. February 15, signed.

By Mr. Mitchell—

H. 613. To confirm the incorporation and organization of the Merchants Bank of Florence, Alabama, and to enlarge and increase the powers of said corporation.

January 28, read first, referred to corporations. January 29, reported favorably, read second. February 8, read third, passed. February 8, signed.

By Mr. Cofer—

H. 617. To amend section one (1) of an act entitled an act to create a separate school district in Cullman county, Alabama, and define the boundaries of the same, approved February 28th, 1887.

February 4, read first, referred to education. February 6, reported favorably, read second. February 13, read third, passed. February 15, signed.

By Mr. Kennamer—

H. 619. To repeal all laws and parts of laws prohibiting the sale, giving away or otherwise disposing of vinous, spirituous or malt liquors or intoxicating bitters or beverages in Guntersville beat in Marshall county, Alabama, and to regulate the sale thereof in said beat.

January 27, read first, referred to temperance. February 5, reported adversely, read second, calendar. February 13, laid on table.

By Mr. Robinson—

H. 622. To incorporate the Central Trust Company of Mobile.

February 5, read first, referred to municipal and county organizations. February 8, reported favorably, read second. February 13, read third, passed. February 15, signed.

By Mr. Brandon, (by request)—

H. 623. To prohibit within five miles of Brookwood, in Tuscaloosa county, the soliciting, or taking of orders to be filled elsewhere of alcoholic, vinous or malt liquors or other intoxicating drinks or beverages, or fruits preserved in alcoholic liquors.

February 3, read first, referred to judiciary. February 9, reported favorably, read second. February 15, read third, passed. February 16, signed.

By Mr. Delchamps—

H. 625. For the further regulation of theatres and other houses of public entertainment.

February 12, read first, referred to judiciary.

By Mr. Merrill (by request)—

H. 627. To prohibit the sale or bartering of any spirituous, vinous or malt liquors, intoxicating bitters or beverages within the corporate limits of the town of Clayton in the the county of Barbour.

February 1, read first, referred to temperance. February 3, with amendment, reported favorably, read second. February 10, amendment adopted. read third, passed. February 11, signed.

By Mr. Jenkins—

H. 631. To provide for the calling of a convention to revise and amend the constitution of this State.

February 11, read first, referred to privileges and elections. February 12, read sec-

ond, calendar. February 13, special order, Tuesday, February 16. February 16, tabled.

By Mr. Kyle (by request)—

H. 632. To make an appropriation for the expenses of encampment of the Alabama State Troops for the year 1897 and 1898.

February 15, read first, referred to military, February 13, read second, calendar. February 18, amended, read third, passed. Conference committee requested on senate amendments. House non-concurs. Conference committee report concurred in, signed.

By Mr. Stansel—

H. 635. To provide for the publication in the next volume of the Alabama Supreme Court Reports of the code of ethics adopted by the State Bar Association, December 14, 1887.

February 13, read first, referred to judiciary.

By Mr. Lavendar—

H. 636. To regulate the ex-officio fees of the sheriffs of Autauga, Bibb and Pickens counties.

February 5, read first, referred, judiciary. February 9, reported favorably, read second. February 15, read third and passed. February 18, signed.

By Mr. Altman—

H. 638½. To amend, ratify and confirm the charter of Brookside, in Jefferson.

February 13, read first, referred, municipal and county organizations. February 15, reported favorably, read second, calendar. February 16, read third and passed. February 18, signed.

By Mr. Espy—

H. 639. To authorize the court of county commissioners of Henry county to pay the sheriff and

clerk of the circuit court of said county for ex-officio services.

February 3, read first, referred, judiciary. February 5, reported favorably, read second, calendar. February 9, read third and passed. February 11, signed.

By Mr. Brown of Colbert—

H. 642. To promote and secure the erection and operation of cotton mills and factories in the State of Alabama.

February 8, read first, referred to finance and taxation. February 11, reported favorably; read second, calendar. February 12, special order Saturday, February 13. February 13, amendment read third and passed. February 13, house concurs. February 13, signed.

By Mr. Harris—

H. 644. To change the boundary line of the counties of Bullock and Pike.

February 5, read first, referred, municipal and county organizations. February 8, reported favorably, read second, calendar. February 12, read third and passed. February 13, signed.

By Mr. Coleman—

H. 646. To change the name of the Barber Memorial Industrial Institute to the Barber Memorial Seminary, and to amend the charter of said corporation.

February 4, read first, referred, agriculture. February 6, recommitted to corporations. February 10, read second, calendar. February 18, read third and passed, signed.

By Mr. Campbell—

H. 647. To amend sections 2, 12, 15 and 17 of an act entitled an act to create a new charter for

the town of Heflin, Cleburne county, Alabama, approved December 12th, 1894.

January 30, read first, referred, municipal and county organizations. February 2, reported favorably, read second. February 9, recommitted, municipal and county organizations. February 11, reported favorably, read second, calendar. February 18, read third, passed.

Mr. Brown of Colbert—

H. 648. To provide for affixing valuations to any real property, sold for taxes and bought by the State, where redemption or purchase is sought from the State, and it is necessary to assess and collect the taxes thereon for any year other than that for the taxes of which the same was sold to the State.

February 6, read first, referred, finance and taxation.

H. 651. For the preservation of game, animals and birds in the county of Colbert.

January 30, read first, referred, local legislation. February 1, reported favorably, read second. February 9, read third and passed. February 11, signed.

By Mr. Simmons—

H. 652. To require the tax collector of Conecuh county to remain at the court house of said county from the fifteenth of October to 31st day of December of each year.

February 15, read first, referred, judiciary.

By Mr. Killebrew—

H. 653. To provide for the security and protection of the public bridges, public mills and mill dams in the county of Dale, in the State of Alabama.

February 12, read first, referred, local legislation. February 13, read second, calendar.

February 15, amendment adopted, read third and passed. February 15, house concurs. February 16, signed.

By Mr. Timberlake—

H. 660. Giving to children attending the Maud E. Austin college, in Jackson county, their pro rata share of all public school funds.

January 29, read first, referred, education.

H. 663. To increase the criminal jurisdiction of justices of the peace and notaries public having like powers in the county of Jackson.

February 15, read first, referred, judiciary.

By Mr. Greene—

H. 664. To incorporate the board of lady managers of the Hillman Hospital in Birmingham, Alabama, to be known as the board of lady managers of the Hillman Hospital.

February 2, read first, referred, corporations. February 5, reported favorably, read second, calendar. February 9, read third, passed. February 11, signed.

By Mr. Mitchell—

H. 665. To authorize J. W. White to establish a ferry across the Tennessee river.

February 1, read first, referred, local legislation. February 4, reported favorably, read second, calendar. February 12, read third, and passed. February 13, signed.

H. 666. For the relief of Lula Morris, of Lauderdale county.

February 8, read first, referred, local legislation. February 12, returned, referred, finance and taxation. February 16, reported favorably, read second, calendar.

H. 667. To amend section two (2) of an act entitled "an act to create a new charter for the city of Florence, Alabama," approved February 28th, 1889.

January 29, read first, referred, municipal and county organization. February 2, reported favorably, read second. February 9, read third, passed. February 11, signed.

H. 668. To amend an act entitled "an act to incorporate the Bailey Springs University for the higher education of women." Approved December 13th, 1894.

February 5, read first, referred, education.

By Mr. McClellan—

H. 669. To prohibit the sale, giving away or otherwise disposing of any alcoholic, vinous, or malt liquors or other intoxicating drinks or beverages within three (3) miles of Wesley's chapel in Shoalford beat in Limestone county. Also beats 5, 6, 7, known respectively as Gilbertsboro, Wickam and Pleasant Grove, in west Limestone.

February 2, read first, referred, temperance. February 10, reported favorably, read second, calendar. February 15, read third, passed. February 16, signed.

By Mr. Lewis—

H. 671. To establish a separate school district to be known as the Heath district in Coffee county, Alabama.

February 13, read first, referred, education.

By Mr. Hampton—

H. 674. To provide for the payment of grand jury certificates heretofore issued by the foremen of grand jury, when the same have been registered in Madison county.

February 2, read first, referred judiciary. February 9, reported favorably, read second. February 15, read third, passed. February 16, signed.

By Mr. Hunt—

H. 679. To authorize the court of county commissioners of Madison county to encourage the enlargement of the plant of the Dallas Manufacturing Company in Madison county.

January 30, read first, referred finance and taxation. February 6, reported favorably, read second. February 9, read third, passed. February 11, signed.

H. 680. To confirm the incorporation of Huntsville and Monte Sano Improvement Company, and to confer upon it additional powers.

January 28, read first, referred corporations. January 29, reported favorably, read second. February 5, read third, amendment adopted, passed. February 5, house concurs in senate amendment. February 9, motion to reconsider, tabled. February 9, house concurs. February 11, signed.

By Mr. Kennamer—

H. 682. To provide for the collection of the State and county taxes of the county of Marshall.

February 1, read first, referred finance and taxation. February 9, reported favorably with amendment, read second.

By Mr. Hill—

H. 683. To ratify and confirm the charter of the Montgomery Infirmary and to confer additional powers on said corporation.

January 27, read first, referred corporations. January 29, reported favorably, read second. February 8, read third, passed. February 9, signed.

By Mr. Stansel—

H. 688. For the relief of Peter Weir, J. B. Buntin and R. M. Long, of Pickens county.

February 4, read first, referred finance and taxation. February 9, reported favorably

with substitute, read second. February 18, read third, passed, substitute adopted. February 18, house concurs, signed.

By Mr. Gaston—

H. 689. To authorize the preparation of and filling the jury boxes of the county of Randolph, to legalize the same when prepared and filled, and to provide for drawing juries from said boxes.

January 23, read first, referred judiciary. January 27, reported favorably, read second. January 28, read third, passed. January 29, signed.

H. 690. To authorize the court of county commissioners of Randolph county to issue bonds for the purpose of erecting a new court house for said county at Wedowee, Alabama, and to levy a tax to liquidate the debt to accrue t ereby.

January 27, read first, referred municipal and county organizations. January 28, reported favorably, read second. February 6, read third, passed. February 8, signed.

By Mr. Mills—

H. 692. To authorize the commissioners' court of Sumter county in districts where stock are not allowed to run at large at any time of the year, to fix a day on which stock of all kinds may be allowed to run at large and also fix a day when they must be taken up.

January 29, read first, referred local legislation. February 1, reported favorably, read second. February 9, read third, passed. February 11, signed.

By Mr. Lawson—

H. 693. To declare W. F. Ponder a liner of the county of Clay, a citizen of the county of Talladega.

January 28, read first, referred judiciary. February 2, reported favorably, read second.

February 9, read third, passed. February 11, signed.

By Mr. Meadows (by request)—

H. 694. To prohibit the manufacture, sale or giving away of alcoholic, spirituous, vinous or malt liquors in township 19, range 23, in Tallapoosa county.

January 29, read first, referred temperance. January 30, reported favorably, read second. January 30, recommitted temperance. February 9, read third, passed. February 11, signed.

By Mr. Meadows—

H. 695. To further regulate the issue of license to retail spirituous or vinous liquors in precinct 12 of Tallapoosa county.

February 2, read first, referred finance and taxation. February 10, read second, calendar. February 12, amended, adopted, read third, passed. February 13, house concurs. February 13, signed.

By Mr. Clements—

H. 696. To repeal an act entitled an act to establish the Sylvan Agricultural District, to authorize the erection of an outside fence and to dispense with inside fences, and to levy taxes to erect said fences, and to defray all the current expenses of said district.

February 2, read first, referred local legislation. February 5, reported favorably, read second, calendar. February 13, read third, passed. February 15, signed.

By Mr. Flewellen—

H. 699. To repeal an act to amend an act for the protection of lands and plantations from depredation by stock in Bullock county, Alabama, approved February 17th, 1885.

January 28, read first, referred agriculture. January 29, reported favorably, read second. February 8, read third, passed. February 9, signed.

By Mr. Cofer—

H. 700. To prevent any injury or destruction of any railroad, or any part of the same, or any bridge, trestle, culvert, or removal of any rail, cross-tie; or obstruction of any railroad, or street car railroad, for the purpose of impeding the progress of any engine, or train running thereon, or endangering the life of any person operating any engine or train of cars, or passengers or other person upon any engine or car.

February 12, read first, referred commerce and common carriers.

By Mr. Davis—

H. 703. To further regulate elections in the State of Alabama.

February 2, read first, referredto privileges and election.

H. 704. To amend section 4100 of the code of Alabama.

February 13, read first, referred to judiciary.

H. 705. To amend section 4101 of the Code of Alabama.

February 13, read first, referred to judiciary.

By Mr. Altman—

H. 708. To incorporate the society of United Charities of Birmingham.

February 9, read first, referred to corporations. February 10, read second, calendar. February 12, read third, passed. February 13, signed.

By Mr. Merrill—

H. 710. To establish a separate school district in Barbour county, to be known as the Clio school district.

February 2, read first, referred to education. February 4, reported favorably, read second, calendar. February 12, read third, passed. February 13, signed.

H. 711. To establish a separate school district in Barbour county Alabama, to be known as the Louisville and Mt. Zion school district.

February 1, read first, referred to local legislation. February 4, recommitted to education. February 6, reported favorably read second, calendar. February 13, read third, passed. February 15, signed.

By Mr. Long (by request)—

H. 714. To incorporate the town of Jackson in Clarke county, Alabama.

January 29, read first, referred to municipal and county organizations. January 30, reported favorably, read second. February 8, read third, passed. February 11, signed. February 12, signed, erased reconsidered and read third, passed. February 13, house concurs. February 15, signed.

By Mr. Kyle—

H. 717. To authorize Ozark Lodge Number 349, of Free and accepted masons within and belonging to the jurisdiction of the Grand Lodge of Free and accepted masons of the State of Alabama, to issue and sell bonds for the payment of its outstanding debts, and to provide for the payment thereof, and the interest thereon.

February 10, read first, referred to judiciary. February 13, read second, calendar. February 15, read third, passed. February 18, signed.

By Mr. Pitts—

H. 720. To prevent persons in Selma from being convicted twice for the same offense.

February 4, read first, referred judiciary, February 10, reported favorably read second. February 13, amended, read third, passed. February 13, house concurs. February 15, signed.

By Mr. Canant—

H. 724. To provide for and regulate the sale of liquors and other intoxicating drinks in Geneva county of Alabama.

January 30, read first, referred to temperance. February 4, reported favorably, read second, calendar. February 5, read third, passed. February 6, signed.

By Mr. Glover [by request]—

H. 726. To make appropriations for additional compensation for the clerk in the office of the secretary of State and for the clerks in the State auditor's office, and for additional clerical assistance therein.

February 4, read first, referred to finance and taxation. February 9, reported favorably with substitute, read second. February 15, amended, read third, passed. February 15, house concurs. February 16, signed.

By Mr. Tunstall—

H. 727. To prevent stock from running at large in beat No. 10 of Hale county.

January 29, read first, referred to local legislation. February 1, reported favorably, read second. Fedruary 9, read third, passed. February 11, signed.

H. 728. To change the name of Oliver Taylor Cummings a minor, to Oliver Cummings Cooper.

January 29, read first, referred to judiciary.

February 2, reported favorably, read second. February 9, read third, passed. February 11, signed.

By Mr. Epsy—

H. 729. To authorize the board of mayor and aldermen of the town of Dothan to issue and negotiate bonds of said town to an amount not exceeding twenty thousand dollars for the establishing and maintaining of a system of waterworks and fire department, and providing for the redemption of said bonds.

January 27, read first, referred to municipal and county organizations. January 28, reported favorably, read second. January 29, read third, passed. January 30, signed.

H. 730. To provide for the election of a mayor and five aldermen for the town of Dothan and to fix the time of said election.

January 29, read first, referred to municipal and county organizations. February 3, reported favorably, read second. February 10, read third, passed. February 11, signed.

H. 731. To provide for the publication or posting of ordinances, by-laws or resolutions passed by the mayor and aldermen of the town of Dothan.

February 2, read first, referred judiciary. February 5, reported favorably, read second, calendar. February 12, read third, passed. February 13, signed.

By Mr. Bouldin—

H. 733. To amend the charter of the town of Scottsboro, in Jackson county.

January 30, read first, referred, municipal and county organizations. February 2, reported favorably, read second. February 9, read third, passed.

H. 734. To repeal the charter of the town of Woodville in Jackson county.

February 9, read first, referred to munici-

pal and county organizations. Febeuary 13, reported favorably, read second, calendar. February 18, read third, passed, signed.

By Mr. Altman—

H. 735. For the relief of A. A. Coleman.

February 1, read first, referred finance and taxation. February 4, reported favorably, read second, calendar. February 5, read third, passed. February 5, motion to reconsider lost. February 6, signed.

By Mr. Altman—

H. 736. To authorize and empower the Board of education of the city of Birmingham, Alabama, to collect tuition of the pupils of the public schools of said city, residents of the city of Birmingham, Alabama, while attending said schools, to supplement the public school funds of said city for the support and meaintenance of the public schools of said city.

February 2, read first, referred to judiciary. February 9, reported favorably read second. February 12, read third, passed. February 13, signed.

By Mr. Greene—

H. 740. To authorize the levy and collection of tax upon property within the city of Birmingham Alabama, for the maintenauce of the public schools of said city.

January 29, read first, referred finance and taxation. February 2, reported favorably, read second. February 9, amended read third, passed. February 10, house concurs. February 11, signed.

By Mr. Brown of Jefferson—

H. 745. For the relief of John C. Vines and to authorize the governor to relinquish to the United States the S. E. ¼ of S. W. ¼ of sec-

tion 7, township 17, S. R 6 W. Jefferson county, Alabama.

February 4, read first, referred finance and taxation. February 13, with substitute reported favorably, read second, calendar. February 15, substitute adopted, read third, passed. February 15, house concurs. February 16, signed.

By Mr. Abercrombie—

H. 746. To incorporate and exempt from taxation the property of the North Alabama Baptist Academy, located at the town of Courtland in Lawrence county.

January 29, read first, referred education. February 4, reported favorably, read second, calendar. February 13, amendment read third, passed. February 13, house concurs. February 15, signed.

By Mr. Wood of Macon—

H. 747. For the improvement of the public roads in Macon county.

February 5, read first, referred local legislation. February 9, reported favorably, read second. February 15, read third, passed. February 16, signed.

H. 748. To amend an act entitled an act to amend sections two, five, six and nine of an act entitled an act to incorporate the town of Tuskegee, in the county of Macon, and for other purposes, approved February 11, 1893.

January 30, read first, referred corporation. February 3, reported favorably, read second, calendar. February 10, read third, passed. February 13, signed.

By Mr. Kennemar—

H. 750. To authorize and empower the board of control of the North East Alabama Agricultural Station and Agricultural school at Al-

bertville, Alabama to sell certain lands deeded to the State of Alabama, for the benefit of said school.

February 2, read first, referred agriculture. February 5, reported favorably, read second, calendar. February 13, read third, passed. February 15, signed.

By Mr. Sheldon—

H. 752. To prevent hogs from running at large in Mobile county, within seven miles of the court house of said county.

February 3, read first, referred local legislation. February 5, reported favorably, read second, calendar. February 13, read third, passed. February 15, signed.

By Mr. Hibbard (by request)—

H. 753. To amend section nine of an act entitled an act for the relief of needy confederate soldiers and sailors, residents of Alabama, who from wounds or other cause are now unable to earn a livelihood and for widows of such as were killed or died in said war, and have not since remarried, approved February 13, 1891.

February 1, read first, referred finance and taxation. February 11, reported favorably, read second calendar. February 12, read third, passed; signed.

By Mr. Hibbard—

H. 754. To relieve Franklin Johnson of Monroe county, Alabama, a minor seventeen years of the disabilities of non-age.

February 10, read first, referred judiciary. February 13, read second, calendar. February 18, read third, passed, signed.

By Mr. Waller—

H. 755. To authorize the trustee of township 16, range 17 in Montgomery county, to sell the

house and lot on Holt street in the city of Montgomery, now belonging to the township, and to re-invest the proceeds in other school property outside of the city of Montgomery, for the use and benefit of the children of said township.

February 1, read first, referred education. February 3, reported favorably, read second. February 9, read third, passed. February 11, signed.

By Mr. Longshore—

H. 757. To incorporate the town of Wilsonville in the county of Shelby.

February 5, read first, referred municipal and county organization. February 10, read second, calendar. February 15, amendment adopted, read third, passed. February 15, house concurs. February 16, signed.

By Mr. Yarbrough—

H. 759. To repeal an act entitled an act to regulate sheriffs and coroners sales in the county of St. Clair, approved February 1st, 1856.

January 29, read first, referred judiciary. February 2, reported favorably, read second. February 5, read third, passed. February 6, signed.

By Mr. Smith—

H. 761. To regulate the trial of misdemeanors in the county of Tallapoosa.

January 30, read first, referred judiciary. February 5, reported favorably, read second, calendar. February 13, read third, passed. February 15, signed.

By Mr. Turner—

H. 762. To amend an act entitled an act to establish the thirteenth judicial circuit of the State of Alabama, to fix the time for holding courts

therein, and to provide for the appointment of a judge and the election of a solicitor for said circuit, approved February 12th, 1895.

January 29, read first, referred judiciary. February 2, reported favorably, read second. February 9, read third, passed. February 11, signed.

By Mr. Long—

H. 763. To confer certain powers on the board of control of the Jackson Agricultural college and their successors.

February 5, read first, referred agriculture. February 8, reported favorably, read second. February 13, read third, passed. February 15, signed.

By Mr. Hearn—

H. 765. To regulate the fine and forfeiture fund of Choctaw county.

February 13, read first, referred local legislation.

By Mr. Sheldon—

H. 766. To provide for the appointment of an official stenographer for the courts of record of Mobile county, and to define his duties and regulate his compensation.

January 29, read first, referred local legislation. February 2, reported favorably, read second. February 9, amendment read third, passed. February 11, house non-concurs. February 11, house concurs. February 12, signed.

H. 767. To repeal an act entitled an act to provide for the appointment of an official stenographer for the circuit and chancery courts in the county of Mobile, and the city court of the city of Mobile, and to define his duties and regulate his compensation, approved February 12, 1879, and the act amending said act approved January 25th, 1895.

February 4, read first, referred judiciary. February 9 reported favorably, read second. February 15, read third, passed. February 16, signed.

By Mr. Merrill—

H. 769. To establish a separate school district in Barbour county, to be known as the Lodi school district.

February 4, read first, referred education. February 6, reported favorably, read second. February 13, read third, passed. February 16, signed.

By Mr. Barron—

H. 770. To amend section 2 of an act entitled an act to establish a new charter for the town of Marion in the county of Perry, approved February 16th, 1870, as amended by act approved, February 26th, 1875, and section 3 of said act to establish a new charter for said town approved February 16th, 1870, as amended by an act approved February 28th, 1887, and section 16 of said act to establish a new charter for the town of Marion in the county of Perry approved February 16th, 1870.

January 28, read first, referred local legislation. January 30, reported favorably, read second. February 8, read third, passed with amendment adopted. February 9, signed.

By Mr. Barnes—

H. 771. To confer power on the Opelika Board to appropriate money out of the revenues of the district of Opelika to the support of its public schools.

January 27, read first, referred judiciary. February 2, reported favorably, read second. February 9, read third, passed. February 11, signed.

By Mr. Coleman—

H. 772. To amend sections seventeen (17) and twenty-five (25) of an act, approved February 18, 1895, entitled an act to establish a new charter for the city of Anniston.

February 9, read first, referred municipal and county organization. February 11, reported favorably, read second, calendar. February 13, read third, passed. February 15, signed.

By Mr. Hill—

H. 779. To incorporate the Great Council of Alabama of the Imperial order of Red Men.

February 13, read first, referred corporation. February 16, reported favorably, read second, calendar.

By Mr. Barnes—

H. 782. An act making it unlawful for fire marine and marine insurance companies not organized under the laws of the State of Alabama, but legally licensed to transact fire, fire marine and marine insurance therein and doing business through regularly commissioned agents to place or caused to be placed insurance against loss by fire on property in this State, except through agents located in the State legally authorized, to write policies of insurance therein, and prescribe penalties for violation of same, also prescribe further conditions to be complied with by fire, fire marine and marine insurance companies before receiving licenses to do business in this State.

February 12, read first, referred corporation. February 13, reported favorably, read second, calendar. February 15, recommitted finance and taxation. February 15, restored to calendar. February 18, read third, passed, signed.

By Mr. Brothers—

H. 785. To provide and establish a stock law for Calhoun county.

January 30, read first, referred local legislation. February 1, reported favorably, read second. February 9, amendment adopted, read third, passed. February 10, house non-concurs in report of committee of conference. February 12, house considers conference report. February 12, conference report concurred in. February 13, signed.

By Mr. Long (by request)—

H. 789. To establish a separate school district known as the Jackson school district in Clarke county, Alabama.

February 2, read first, referred education. February 4, reported favorably, read second, calendar. February 12, amended, read third, passed. February 12, house concurs. February 13, house concurs. February 15, signed.

By Mr. Lewis—

H. 790. To re-incorporate and establish a charter for the town of Elba, in Coffee county.

February 10, read first, referred municipal and county organizations.

By Mr. Beasley (with notice and proof)—

H. 792. For the relief of B. H. Lewis, E. G. Padgett and Jacob Neese as the sureties on the official bond of Wm. M. Snider as superintendent of Covington county.

January 29, read first, referred to finance and taxation. February 6, reported favorably, read second calendar. February 13, laid on table.

By Mr. Huddleston—

H. 793. To amend section 7 of an act approved Feb-

ruary 21st, 1893, entiled an act to constitute the city of Wetumpka a separate school district, and to provide aboard of education therefor.

January 27, read first, referred education. January 28, reported favorably, read second. January 30, recommitted education. February 6, read third, passed. February 8, signed.

H. 794. To authorize the mayor and aldermen of the city of Wetumpka to issue bonds of said city for an amount not to exceed ten thousand dollars, for the purpose of purchasing lots or real estate, improved or unimproved, to be used for school purposes in said city, and for erecting, adding to or improving school buildings and furnishing the same.

January 27, read first, referred to education. January 28, reported favorably, read second. February 6, read third, passed, amendment adopted. February 8, house concurs in senate amendment. February 9, signed.

By Mr. Greene—

H. 798. To declare unlawful and void all arrangements, contracts, agreements, trusts or combinations made with a view to lessen or which tend to lessen, free competition in the importation or sale of articles imported into this State, or in the manufacture of articles of domestic growth, or of domestic raw material, to declare unlawful and void all arrangements, contracts, agreements, trusts, or combinations between persons or corporations designed, or which tend to advance, reduce or control the price of such product or article to producer or consumer of any such product or article; to provide for forfeiture of the charter and franchise of any corporation, organized under the laws of this State, violating any of the provisions of this act; to prohibit every foreign carporation, violating any of the provisions of this act, from doing business

in this State; to require the attorney-general of this State to institute legal proceedings against any such corporations violating the provisions of this act, and to enforce the penalties prescribed; to prescribe penalties for any violations of this act; to authorize any person or corporation, damaged by any such trust, agreement or combination to sue for the recovery of such damage, and for other purposes.

February 8, read first, referred to judiciary. February 18, reported favorably, read second, calendar.

By Mr. Hibbard—

H. 801. To create a lien for advances to make crops in the county of Monroe and to provide for enforcing the same.

February 5, read first, referred judiciary. February 8, reported favorably, read second. February 10, read third, passed. February 11, signed.

By Mr. Darby—

H. 805. To amend an act to incorporate the Alabama Mutual Fire Insurance Company, and to define its rights, powers and franchises, approved January 23rd 1895.

February 1, read first, referred corporations. February 3, reported favorably, read second. February 10, read third, passed. February 11, signed.

By Mr. Yarbrough—

H. 807. To provide in certain cases for the payment of witnesses who appear before the grand jury of St. Clair county on subpœna or order of any court,

February 9, read first referred to judiciary. February 16, reported favorably, read second, calendar. February 18, read third, passed, signed.

By Mr. Smith of Tallapoosa—

H. 809. To amend section 5 of an act entitled an act to provide for the holding of a term of the circuit court of the 5th judicial circuit at Alexander City in Tallapoosa county, and to regulate the same, approved February 15th, 1889.

February 5, read first, referred judiciary. February 9, reported favorably with amendment, read second. February 12, amendment adopted, read third, passed. February 13, house concurs. February 13, signed.

By Mr. Tunstall—

H. 810. For the preservation of game, animals and birds in beat No. 17, in Hale county.

February 2, read first, referred local legislation. February 5, reported favorably, read second, calendar. February 12, read third, passed. February 13, signed.

By Mr. Stewart—

H. 811. To prohibit the sale, giving away or otherwise disposing of alcoholic, spirituous, vinous or malt liquors, intoxicating bitters, wines or fruits preserved in such intoxicants, within five miles of the court house in the city of Oneonta, Alabama, and to repeal all laws in conflict with the same.

February 6, read first, referred temperance. February 10, reported favorably, read second, calendar. February 18, read third, passed, signed.

By Mr. Greene—

H. 814. To provide for the compensation of the register of votes of Jefferson county

January 28, read first, referred to privileges and elections. February 3, reported favorably, read second. February 9, read third, passed. February 11, signed.

H. 816. To confirm the organization and incorporation of the Birmingham, Powderly and Bessemer Railway Company and to confer on it additional powers.

February 2, read first, referred to corporations. February 5, reported favorably, read second, calender. February 13, read third, passed. February 15, signed.

By Mr. Turner—

H. 817. To repeal an act to regulate and provide for the trial of misdemeanors in Washington county, approved December 18th, A. D. 1894, also to repeal an act to further provide for and regulate the trial of misdemeanors in Washington county, approved February 8, 1895. Also to repeal section 5 of an act in relation to trials of misdemeanors in Tuskaloosa and other counties therein named so far as the same relates to Washington county, approved March 1st, 1881, and to provide for certain cases now pending in the county court of Washington county.

January 29, read first, referred to local legislation. January 30, reported favorably, read second. February 8, read third, passed. February 9, signed.

By Mr. Sheldon—

H. 818. To make an additional appropriation for the salary of the solicitor of the thirteenth judicial circuit.

February 8, read first and referred to finance and taxation.

H. 819. To amend section three (3) of an act approved February 12, 1895, entitled "an act to establish the thirteenth judicial circuit of the State of Alabama, to fix the time of holding courts therein, and to provide for the appointment of a judge and the election of a solicitor for said court.

February 6, read first and referred to judiciary.

By Mr. Kyle—

H. 822. To authorize the governor to parole convicts and to regulate same.

February 10, read first, referred to penitetiary. February 11, reported favorably, read second, calendar. February 12, read third, passed. February 13, signed.

By Mr. Eiland—

H. 824. To constitute the city of Luverne, in Crenshaw county, a separate free school district for children, and to provide for the management of said free school in said school district.

February 12, read first, referred to temperance. February 16, reported favorably, read second, calendar. February 18, read third, passed, signed.

By Mr. Sheldon—

H. 826. To provide a charter for the city of Mobile.

January 27, read first, referred local legislation. February 1, reported favorably, read second, with amendment. February 2, amendment adopted, read third, passed. February 5, signed.

By Mr. Altman—

H. 827. To authorize the closing and occupancy of a a part of Bibb street as the same is designated and laid off according to the plat of the East Birmingham Land Company or its successor in Jefferson county.

February 5, read first, referred to judiciary. February 9, reported favorably, read second. February 13, read third, passed. February 15, signed.

H. 828. To vacate a part of the plat of certain lands

in Jefferson county, made by the Elyton Land Co., a corporation in Jefferson county.

February 3, read first, referred to corporations. February 5, reported favorably, read second, calendar. February 6, read third, passed. February 8, signed.

By Mr. Troup—

H. 829. To create the Mt. Zion school district in Morgan and Lawrence counties.

February 5, read first, referrd to education. February 6, reported favorably, read second. February 12, read third, passed. February 13, signed.

By Mr. Love—

H. 831. To prevent animals from running at large in a certain district in Autauga county.

February 11, read first, referred to local legislation.

H. 832. To amend section one of an act for the protection of land and property against the depredations of live stock in portions of precincts No. one, two, three, four, five and six in Autauga county,

February 2, read first, referred local legislation, February 5, reported favorably, read second, calendar. February 13, read third, passed. February 15, signed.

By Mr. Brothers (by request)—

H. 837. To amend sections 2, 3 and 11 of an act entitled an act to establish a normal school for the education of white male and female teachers at Jacksonville, in Calhoun county, approved February 22nd, 1883.

February 9, read first, referred to finance and taxation. February 10, recommended to education. February 11, reported favorably, read second, calendar. February 13, read third, passed. February 15, signed.

By Mr. Harkins—

H. 838. To regulate the mining of coal in Alabama.

February 8, read first, referred to judiciary. February 10, read second, calendar. February 12, special order Monday, February 15, 12 M. continuing. February 15 read third, passed. February 16, signed.

By Mr. Brown of Colbert—

H. 839. To provide for the inspection and sale of illuminating oils in the State of Alabama.

February 12, read first, referred to commerce and common carriers. February 13, reported favorably, read second, calendar. February 15, read third, passed. February 16, signed.

By Mr. Pitts—

H. 840. To authorize the council of Selma to fix the compensation of the commissioners of the sinking fund commission, and such compensation to be paid out of the sinking fund.

February 6, read first, referred to municipal and county organizations.

By Mr. Beeson—

H. 841. To amend an act entitled an act to amend an act to establish the city court of Gadsden, approved February 18, 1891, by amending certain sections thereof, approved December 14th, 1894, by amending section three (3) of said amending act.

February 5, read first, referred to judiciary.

By Mr. Wood of Henry—

H. 843. To amend an act entitled an act to establish a separate school district to be known as Reynolds school district in Henry county.

February 4, read first, referred, education.

February 6, reported favorably, read second. February 13, read third, passed. February 15, signed.

By Mr. Abercrombie—

H. 844. To exempt from taxation the Wallace school fund held in trust by the township trustees in township seven, range nine, Lawrence county, Alabama, for the benefit of the public schools of said township.

February 4, read first, referred, finance and and taxation. February 9, reported favorably with amendment, read second. February 12, amendment adopted, read third and passed. February 12, house concurs. February 13, house concurs. February 13, signed.

By Mr. Hill—

H. 845. To require fire insurance companies doing business in the county of Montgomery to pay annually two hundred dollars each to a fund for the benefit of the fire companies of the city of Montgomery; to provide a penalty for a failure or refusal to pay said fund, and to regulate the disposition of said fund.

January 30, read first, referred, corporations. February 4, reported favorably, read second. February 8, read third, passed. February 9, signed.

By Mr. Waller of Montgomery—

H. 848. To fix the terms of office of the mayor, aldermen and other city officers of the city of Montgomery.

January 28, read first, referred, judiciary. February 2, reported favorably, read second. February 9, read third, passed. February 11, signed.

By Mr. Kyle—

H. 850. To amend section one (1) of an act entitled

an act to establish three separate school districts in Cullman county, to be known as the Jones Chapel school district, the county line school district, and the Good Hope school district, in Cullman county, Alabama, and to provide for the election of a board of trustees for each of said school districts with certain duties and powers, approved February 18, 1891.

January 29, read first, referred, education. February 4, reported favorably, read second, calendar. February 12, amendment read third, passed. February 12, house concurs. February 13, house concurs. February 13, signed.

H. 851. To make the offices of town clerk and marshall of New Decatur, Alabama, elective, and to provide the time and manner of their election.

January 29, read first, referred, judiciary. February 5, reported favorably, read second, calendar. February 13, read third, passed. February 15, signed.

By Mr. Heflin—

H. 862. To regulate the sale of spirituous, vinous and malt liquors within the corporate limits of the town of LaFayette, Alabama.

January 27, read first, referred, temperance. February 10, read second, calendar. February 12, read third, passed. February 13, signed.

H. 863. To regulate the sale of spirituous, vinous and malt liquors within the corporate limits of the town of Lanett, Alabama.

February 2, read first, referred temperance. February 12, read second, calendar. February 13, read third, passed. February 15, signed.

By Mr. Newman—

H. 864. To provide for and regulate the pay of State

witnesses in Chambers, Randolph and Tallapoosa counties.

January 28, read first, referred, judiciary.

By Mr. Kyle—

H. 865. To prescribe and define a three wire lawful fence for precinct number eleven (11) in Morgan county, Alabama.

February 5, read first, referred local legislation. February 9, reported favorably, read second. February 13, read third and passed. February 15, signed.

By Mr. Stansel—

H. 867. To adopt a code of laws for the State of Alabama.

February 15, read first, referred, judiciary.

By Mr. Glover—

H. 871. To amend an act to declare certain lands in Greene county, in this State, now belonging to T. W. Cobb, Mary Cobb, Mary E. Walker and Amenia J. Upchurch, a district in which stock shall be prevented from running at large, and to provide that the provision of an act entitled an act to authorize the commissioners court of Greene county to establish district in which stock may be prevented from running at large, approved February 17th, 1885, shall be applicable to said district, approved February 18, 1891.

February 1, read first, referred local legislation. February 4, reported favorably, read second, calendar. February 10, read third, passed. February 11, signed.

By Mr. Hearn—

H. 877. For the relief of W. H. Edwards and Tony Horn, of Choctaw county.

February 5, read first, referred, finance and taxation. February 9, reported favorably,

read second. February 15, read third and passed. February 16, signed.

H. 878. To establish a branch agricultural experiment station and an agricultural school for the colored race, to be located at Tuskegee, Macon county, Alabama, and to be run in connection with the Tuskegee Normal and Industrial Institute.

January 30, read first, referred agriculture. February 5, reported favorably with amendment, read second. February 12, amendment adopted, read third and passed. February 13, house nonconcurs, committee of conference. February 13, house concurs in conference report. February 15, signed.

By Mr. Brown of Colbert—

H. 880. To incorporate the Mussell Shoals Power Company.

February 5, read first, referred local legislation. February 9, returned and recommitted corporations. February 15, reported favorably, read second, calendar. February 16, read third, passed. February 18, signed.

H. 882. To establish a separate school district to be known as the Mt. Pleasant school district in Colbert county, Alabama.

February 3, read first, referred education. February 4, reported favorably, read second, calendar. February 12, read third, passed. February 13, signed.

H. 883. To regulate the collection of the poll tax in the Tuscumbia school district of Colbert county.

February 2, read first, referred local legislation. February 5, reported favorably, read second, calendar. February 13, read third, passed. February 15, signed.

By Mr. Burns—

H. 884. For the relief of Reuben W. Little.

February 15, read first, referred local legislation.

By Mr. Beeson—

H. 887. To authorize the levy and collection of a tax upon property within the city of Gadsden, Alabama, or that may be lawfully taxable therein for the maintenance of the public schools of said city.

February 4, read first, referred finance and taxation. February 9, reported favorably with amendment, read second. February 13, amended, adopted, read third, passed. February 13, house concurs. February 15, signed.

By Mr. Gast—

H. 888. To provide for the payment of witnesses summoned before the grand jury of Franklin county, Alabama, and to fix their compensation.

February 4, read first, referred judiciary.

By Mr. Espey—

H. 890. To establish Ashford school district.

February 12, read first, referred municipal and county organizations. February 15, reported favorably, read second, calendar. February 16, read third, passed. February 18, signed.

By Mr. Altman—

H. 891. To incorporate the Mercy Home of Birmingham, Alabama, and to prescribe its corporate rights and privileges.

February 15, read first, referred corporations. February 16, reported favorably, read second, calendar. February 18, read third, passed, signed.

By Mr. Wood of Macon—

H. 894. For the relief of W. H. Roney, clerk of the circuit court of Macon county.

February 9, read first, referred finance and taxation. February 12, read second, calendar. February 16, read third, passed. February 18, house concurs, signed.

H. 895. To regulate the trial of misdemeanors growing out of the illegal sale of spirituous, vinous or malt liquors in the county of Macon, or for the violation of any of the provisions of an act regulating the sale of spirituous, vinous or malt liquors in said county.

February 3, read first, referred temperance. February 6, reported favorably, read second, calendar. February 15, read third, passed. February 15, signed.

By Mr. Robinson—

H. 897. For the relief of the receiver of the Sea Board Railway Company of Alabama.

January 29, read first, referred judiciary. February 2, returned, recommitted to finance and taxation. February 9, reported favorably, read second. February 12, read third, passed. February 13, signed.

By Mr. Hibbard—

H. 898. To give priority to the oldest claims against the fine and forfeiture fnnd in the county of Monroe.

January 30, read first, referred judiciary. February 2, reported favorably, read second. February 5, read third, passed. February 6, signed.

By Mr. Yarbrough—

H. 900. To make the third week of the circuit court of St. Clair county a non-jury week; to arrange the business of the court for such week, and to limit the sittings of the grand jury of said county.

February 4, read first, referred judiciary. February 9, reported favorably with amendment, read second. February 12, amendment adopted, read third, passed. February 13, house concurs. February 13, signed.

By Mr. Greene—

H. 902. To confer additional powers upon the Birmingham Trust and Savings Company, a body corporate incorporated under the general laws of the State of Alabama.

February 9, read first, referred corporations. February 10, read second, calendar. February 13, read third, passed. February 15, signed.

H. 903. To incorporate the Gurantee Trust and Surety Company.

January 29, read first, referred corporations. February 3, reported favorably, read second. February 9, read third, passed. February 11, signed.

By Mr. Wiley—

H. 905. To confirm the incorporation of the Beauvoir Club of Montgomery, Alabama, and to enlarge the powers and capacities of said club.

February 3, read first, referred corporations. February 10, reported favorably, read second, calendar. February 15, read third, passed. February 16, signed.

By Mr. Graves (by request)—

H. 908. To amend section 10 of an act entitled an act to regulate the fine and forfeiture fund of Barbour county, and the disposal of moneys arising from fines, forfeitures and convict labor," approved February 6th, 1895.

February 5, read first, referred to penitentiary. February 8, reported favorably read second. February 13, read third, passed. February 15, signed.

By Mr. Coleman—

H. 910. To require banks to publish statements and to

provide for the examination of banks, also, to provide punishment for violations of this act

February 13, read first, referred to judiciary.

By Mr. Altman—

H. 913. To repeal an act entitled "an act to amend section 6 of an act entitled an act to provide for the making and maintaining the public roads and bridges in Jefferson county, Alabama, approved December 17th, 1894.

February 9, read first, referred to local legislation. February 10, read second, calendar. February 12, read third, passed. February 13, signed.

H. 914. To amend an act, entitled and act, to provide for the making and maintaning the public roads and bridges in Jefferson county, Alabama, approved December 18th, 1894.

February 9, read first, referred to local legislation. February 10, read second, calendar. February 13, read third passed. February 15, signed.

H. 915. To require commissioners court of Jefferson county, Alabama, to keep a book of records of roads and to keep an entry of road matters therein.

February 9, read first referred to municipal and county organizations. February 12, read second, calendar. February 16, read third, passed. February 18, signed.

By Mr. Meador—

H. 917. To repeal an act to more effectually secure competent and well qualified jurors for the county of Marengo, approved December 9th, 1896.

February 2, read first, referred local legislation. February 12, read second, calendar.

By Mr. Kennemar—

H. 918. To provide for holding elections for the adoption of stock law in Marshall county and to provide for carrying it into effect, when it shall be adopted.

February 5, read first, referred to agriculture. February 8, reported favorably, read second, calendar. February 15, amended, adopted informally passed.

By Mr. Dreyspring—

H. 921. To amend section 1 of an act to establish a new charter for the city of Montgomery, approved December 9th, 1896.

February 1, read first, referred to local legislation. February 5, reported favorably, read second, calendar. February 6, returned recommitted, to local legislation. February 12, read second, calendar. February 13, read third, passed. February 15, signed.

By Mr. Darby—

H. 923. To establish a charter for the town of Banks, Alabama.

February 5, read first, referred to municipal and county organizations. February 16, reported favorably, read second, calendar. February 18, read third, passed; signed.

By Mr. Braddon—

H. 925. To prohibit circuit clerks, sheriffs and other public officers from purchasing witness certificates in civil cases.

February 15, read first, referred to judiciary. February 16, reported favorably, read second, calendar.

By Mr. Brown of Colbert—

H. 928. To authorize Colbert county to build macadamized or turnpike roads, and to issue bonds of the county to aid in the constructson thereof.

February 30, read first, referred to corporations. February 3, reported favorably read second. February 10, amended adopted read third, passed. February 12, signed.

By Mr. Hill (by request)—

H. 929. To authorize the National Building and Loan Association of Montgomery, Alabama, acorporation duly organized and existing under the general laws of the State of Alabama, to issue paid up stock and loan money to its members on its stock.

February 8, read first, referred corporations. February 11, reported favorably read second, calendar. February 15, read third. passed. February 16, signed.

By Mr. Wiley—

H. 931. To provide for the better enforcement of an act to prevent deception in the manufacture and sale of imitation butter, approved February 18, 1895.

February 11, read first, referred to agriculture. February 12, read second, calendar. February 12, read third, calendar. February 15, read third passed, February 18, signed.

By Mr. Davis—

H. 935. To fix the time of holding the circuit court in Marion county, in this State, and regulate the proceedings in such court.

February 6, read first, referred judiciary. February 9, reported favorably, read second. February 10, read third, passed. February 11, recommitted, substitute adopted, read third, passed. February 12, signed.

H. 936. To amend section 1 of an act to regulate the practice and proceedings in civil cases in the circuit courts of Colbert and Lauderdale counties, in this State, and in the supreme

court on appeals from judgment rendered in such cases, approved February 18, 1895.

February 6, read first, referred judiciary. February 9, reported favorably, read second. February 10, read third, passed. February 11, recommitted, substitute adopted, read third, lost.

By Mr. Wood of Macon—

H. 938. To create a separate school district in the county of Macon to be known as the Cross Keys High School District.

February 8, read first, referred education. February 9, reported favorably, read second. February 15, read third, passed. February 16, signed.

By Mr. Shamblin—

H. 940. To establish a separate school district in Cherokee county to be known as "The Leesburgh school district."

February 5, read first, referred education. February 6, reported favorably, read second. February 13, read third, passed. February 15, signed.

By Mr. Campbell—

H. 941. To amend an act to incorporate the town of Chulafinnee, in the county of Cleburne.

February 4, read first, referred municipal and county organizations. February 8, reported favorably, read second, calendar. February 15, read third and passed. February 15, signed.

By Mr. Nesmith—

H. 949. To fix and regulate the fees of the registers in chancery of Lamar, Jefferson, Tuskaloosa, Russell, Macon, Hale, Chambers Wilcox, Colbert, Calhoun, Lowndes, Perry, Bibb, Clarke, Washington, Montgomery, Greene,

Barbour, Randolph, Morgan, Bullock, Mobile and Fayette counties.

February 2, read first, referred local legislation. February 9, reported favorably with amendment, read second. February 15, read third, laid on table.

H. 950. To prevent the buying or selling of cotton, meat, wheat or other commodity under contract or agreement for the future delivery thereof within or without this State.

February 13, read first, referred, agriculture. February 16, reported favorably, read second, calendar.

By Mr. Barnes—

H. 951. For the more efficient government of the district of Opelika by decreasing the number of commissioners from seven to five, one of whom to be elected as recorder, and authorizing the election of clerk and chief of police and other subordinate officers by said board.

February 4, read first, referred, municipal and county organization.

By Mr. Graves—

H. 957. To amend an act to establish a board of revenue for Barbour county, approved February 18th, 1895.

February 2, read first, referred judiciary. February 4, reported favorably, read second, calendar. February 6, read third, passed. February 8, signed.

By Mr. Turner—

H. 959. To encourage and protect the raising and growing of fruit in the State of Alabama.

February 12, read first, referred, agriculture. February 13, read second, calendar. February 15, read third, passed. February 16, signed.

By Mr. Brandon—

H. 962. To allow judges to interchange times, terms and places of holding courts.

February 13, read first, referred judiciary. February 16, reported favorably, read second, calendar.

By Mr. Altman—

H. 966. To provide for the appointment of overseers of public roads in Jefferson county and to prescribe their duties.

February 9, read first, referred local legislation. February 10, read second, calendar. February 12, read third, passed. February 13, signed.

By Mr. Meador—

H. 972. To amend the revenue laws of the State of Alabama.

February 11, read first, referred finance and taxation. February 12, read second, calendar. February 12, special order Monday, February 15; 100 copies ordered printed. February 16, consideration postponed to Thursday. February 18, amendment read third and passed. February 18, house nonconcurs, committee of conference; senate concurs in conference report. Signed.

By Mr. Wood of Henry—

H. 976. To authorize the board of control of the Southeast Alabama Agricultural Experiment Station and School to sell and convey the lot and school building thereon, in the town of Abbeville, in Henry county, and to expend the proceeds thereof on the new school building now being erected in said town, or for the improvement of said experiment station.

February 5, read first, referred to agriculture. February 8, reported favorably,

read second, calendar. February 13, read third, passed. February 15, signed.

By Mr. Merrill—

H. 978. To incorporate the Sons and Daughters of Charity Lodge, No. 1.

February 6, read first, referred to corporation. February 10, read second, calendar. February 12, read third, passed. February 13, signed.

H. 979. For the preservation of game and birds in Barbour county.

February 8, read first, referred to local legislation. February 10, read second, calendar. February 16, read third, passed. February 18, signed.

By Mr. Longshore—

H. 993. To amend section fifteen (15) of an act entitled an act to establish a charter for the city of Columbiana in Shelby county, Alabama, approved February 18th, 1895.

February 5, read first, referred to municipal and county organizations. February 10, read second, calendar. February 13, amendment adopted, read third, passed. February 13, house concurred. February 15, signed.

By Mr. Love—

H. 999. To establish, open, improve, work and keep in good condition the public roads in Autauga county, Alabama.

February 5, read first, referred to local legislation. February 10, read second, calendar. February 15, read third, passed. February 16, signed.

By Mr. Stewart—

H. 1002. To authorize the commissioners court of Blount county to levy a tax for working the public roads of said county, and to let out

said roads by contract.

February 5, read first, referred to local legislation. February 9, reported favorably, read second. February 13, read third, passed. February 15, signed.

By Mr. Lloyd—

H. 1003. To authorize the auditor to pay out certain monies remaining in the State treasury as a part of the relief fund for needy Confederate soldiers and sailors.

Febuary 10, read first, referred to finance and taxation. February 12, read second, calendar. February 13, amended, read third, passed. February 15, signed.

By Mr. Killebrew—

H. 1006. To repeal an act entitled an act to incorporate the town of Midland City, in the county of Dale, approved December the 3d, 1890.

February 3, read first, referred, municipal and county organizations.

By Mr. Ovens—

H. 1010. To protect certain birds in Jefferson county.

February 5, read first, referred to local legislation, February 9, reported favorably, read second. February 18, read third, passed, signed.

By Mr. Lipscomb—

H. 1011. To allow the clerk of the Bessemer division of the circuit court of Jefferson county ex-officio fees.

February 13, read first, referred to judiciary. February 16, reported favorably, read second, calendar. February 18, read third, passed, signed.

By Mr. Lawson—

H. 1023. To repeal an act entitled an act to amend

sections one and two of an act to establish partial stock law districts in Talladega county, approved February 7, 1895, so far as the same relates to beat 7, in said county.

February 13, read first, referred to local legislation. February 16, reported favorably, read second, calendar.

By Mr. Joseph—

H. 1025. To establish a separate school district to be known as the Point Clear district in Baldwin county, Alabama.

February 3, read first, referred to education. February 4, reported favorably read second, calendar. February 13, read third, passed. February 15, signed.

By Mr. Dale—

H. 1028. For the relief of Joe Lambert, as tax collector for Wilcox county, Alabama.

February 4, read first, referred to finance and taxation. February 9, reported favorably, with amendment, read second. February 12, amended, read third, passed. February 12, house concurs. February 13, signed.

By Mr. Bouldin—

H. 1029. To amend section 2 of an act approved February 18th, 1895, page 789, relating to Pleasant Grove school district, in Jackson county.

February 4, read first, referred to finance and taxation. February 6, reported favorably, read second. February 12, read third, passed.

By Mr. Brandon—

H. 1030. To prevent stock from running at large in certain portions of Tuscaloosa county.

February 5, read first, referred to agri-

culture. February 9, reported favorably, read second. February 15, read third, passed. February 16, signed.

By Mr. Meador—

H. 1031. To levy taxes for the use of the State.

February 15, read first, referred to finance and taxation. February 16, reported favorably, read second, calendar. February 18, read third, passed, signed.

By Mr. Stewart—

H. 1032. To regulate the drawing and empanelling of the grand and petit juries in Blount county, Alabama.

February 15, read first, referred to judiciary. February 18, reported favorably, read second, calendar.

By Mr. Glover—

H. 1034. To incorporate the Eutaw Presbyterian church.

February 6, read first, referred to corporations. February 10, read second, calendar. February 16, read third, passed. February 18, signed.

By Mr. Greene—

H. 1035. To incorporate the Alabama Accident Life Association of Birmingham, Ala.

February 13, read first, referred to corporations. February 16, reported favorably, read second, calendar.

By Mr. Altman—

H. 1038. To amend the charter of the city of Birmingham so as to change and establish the time for holding elections for mayor and aldermen of said city; to alter, define and fix the term of office of the present mayor and aldermen of said city, and the mayor and aldermen

sections one and two of an act to establish partial stock law districts in Talladega county, approved February 7, 1895, so far as the same relates to beat 7, in said county.

February 13, read first, referred to local legislation. February 16, reported favorably, read second, calendar.

By Mr. Joseph—

H. 1025. To establish a separate school district to be known as the Point Clear district in Baldwin county, Alabama.

February 3, read first, referred to education. February 4, reported favorably read second, calendar. February 13, read third, passed. February 15, signed.

By Mr. Dale—

H. 1028. For the relief of Joe Lambert, as tax collector for Wilcox county, Alabama.

February 4, read first, referred to finance and taxation. February 9, reported favorably, with amendment, read second. February 12, amended, read third, passed. February 12, house concurs. February 13, signed.

By Mr. Bouldin—

H. 1029. To amend section 2 of an act approved February 18th, 1895, page 789, relating to Pleasant Grove school district, in Jackson county.

February 4, read first, referred to finance and taxation. February 6, reported favorably, read second. February 12, read third, passed.

By Mr. Brandon—

H. 1030. To prevent stock from running at large in certain portions of Tuscaloosa county.

February 5, read first, referred to agri-

second. February 13, read third, passed. February 15, signed.

By Mr. Clements—

H. 1045. To provide for the filling and emptying the jury box or boxes of Tuscaloosa county and for the drawing and summoning grand and petit jurors for Tuscaloosa county in certain cases.

February 5, read first, referred to judiciary. February 9, reported favorably, read second, calendar. February 15, read third, passed. February 16, signed.

By Mr. Wiley—

H. 1048. To incorporate the Montgomery Real Estate Investment and Security Company.

February 15, read first, referred corporations. February 16, reported favorably, read second, calendar. February 18, read third, passed, signed.

By Mr. Cofer—

H. 1049. To regulate the number and character of bailiffs in attendance upon the circuit court of Cullman county, Alabama.

February 13, read first, referred judiciary.

By Mr. Wiley—

H. 1054. To relieve Katie N. Campbell of Montgomery county, of the disabilities of non-age.

February 5, read first, referred judiciary. February 9, reported favorably, read second. February 13, read third, passed. February 15, signed.

By Mr. Kyle—

H. 1057. To provide for the payment out of the convict funds for certain items of cost in felony cases, to fix the amount of said items, to prescribe the extent to which such cost will be paid, and the manner of paying them.

February 11, read first, referred penitentiary. February 16, reported favorably, read second, calendar. February 18, amended, read third, passed. February 18, house nonconcurs. February 18, report of conference committee concurred in, signed.

By Mr. Love—

H. 1058. To change the name of Martha E. Hine of Autauga county.

February 21, read first, referred judiciary. February 11, reported favorably, read second, calendar.

By Mr. Simmons—

H. 1065. To repeal an act entitled an act to require the county commissioners of Conecuh county to require printed blank forms of certain conveyances and printed blank record books in conformity therewith for the use of and distribution by the probate judge of said county and to regulate the fees for recording the same.

February 13, read first, referred municipal and county organizations.

By Mr. Cofer—

H. 1066. To amend section two of an act entitled an act to establish a new charter for the city of Cullman, Alabama, approved Dec. 12th, 1890.

February 9, read first, referred judiciary.

By Mr. McClellan—

H. 1073. To empower the county commissioners of Limestone county to levy and collect a special tax for the purpose of improving the public roads of said county.

February 13, returned, referred finance and taxation. February 15, reported favorably, read second, calendar. February 16, read third, passed. February 18, signed.

By Mr. Browne of Talladega—

H. 1076. To provide for the payment of the costs in the case of the State vs. Steve, alias Stephen Camp, lately convicted of arson by the city court of Talladega, and who died before sentence was passed.

February 8, read first, referred finance and taxation. February 12, read second, calendar. February 15, amendment adopted, read third, passed. February 15, house concurs. February 16, signed.

By Mr. Smith of Tallapoosa—

H. 1077. To prevent stock from running at large in beat No. 8 in Tallapoosa county.

February 13, read first, referred local legislation. February 15, reported favorably, read second, calendar. February 16, read third, passed. February 18, signed.

By Mr. Clements—

H. 1078. For the improvement of roads and bridges in Tuskaloosa county.

February 12, read first, referred local legislation. February 13, read second, calendar. February 18, read third, passed, signed.

By Mr. Brandon—

H. 1079. To authorize and empower the board of county commissioners of Tuskaloosa county to pay certain outstanding witness certificates.

February 4, read first, referred local legislation. February 9, reported favorably, read second. February 15, read third, passed. February 16, signed.

By Mr. Merrill—

H. 1080. For the improvement of the public roads in Barbour county.

February 4, read first, referred agriculture.

February 5, reported favorably, read second, calendar. February 6, read third, passed. February 8, signed.

By Mr. Joseph.

H. 1081. To provide for the holding of elections in the several beats of Baldwin county, Alabama, to determine whether alcoholic, vinons or malt liquors shall be sold in said beats.

February 5, read first, referred privileges and elections.

By Mr. Cofer—

H. 1089. To more effectually secure competent and well qualified jurors in Cullman county, Alabama.

February 9, read first, referred judiciary.

By Mr. Hunt—

H. 1090. To incorporate the Home Mutual Fire Insurance Company of Alabama, and to define its rights, powers, franchises and duties.

February 6, read first, referred corporations. February 10, read second, calendar. February 18, read third, passed, signed.

By Mr. Beeson—

H. 1096. To establish a separate school district to be known as the Union school district in Etowah county, Alabama.

February 15, read first, referred education. February 16, reported favorably, read second, calendar. February 18, read third, passed, signed.

By Mr. Wood of Macon—

H. 1097. To amend section 3286 of the Code of 1876, as re-enacted, in an act entitled an act to re-enact sections 3286, 3287, and 3288 of the Code of 1876, so far as it relates to Wilcox, Macon, Marengo and Washington counties,

approved December 10th, 1886, so far as it relates to Macon county.

February 6, read first, referred judiciary. February 9, reported favorably, read second. February 15, read third, passed. February 16, signed.

By Mr. Mitchell—

H. 1099. To incorporate the Land Bank and Farmers' Mutual Aid Association of America.

February 13, read first, referred corporations. February 16, reported favorably, read second, calendar. February 18, read third, passed, signed.

By Mr. Merrill—

H. 1102. To amend subdivision 15, article 1, section 629 of the Code, so far as the same relates to Barbour county.

February 15, read first, referred local legislation. February 16, reported favorably, read second, calendar. February 18, read third, passed, signed.

By Mr. Graves—

H. 1103. To establish a new charter for the town of Clayton in Barbour county, Alabama.

February 9, read first, referred municipal and county organizations. February 11, reported favorably, read second, calendar. February 18, read third, passed, signed.

By Mr. Pitts—

H. 1105. To amend an act to authorize the Secretary of state to sell the volumes of the reports of the decisions of the Supreme Court of Alabama now in his possession, approved February 2nd, 1893.

February 10, read first, referred judiciary. February 11, reported favorably, read second, calendar. February 12, read third, passed. February 13, signed.

By Mr. Espey—

H. 1107. To establish a separate school district known as "Prospect school district," in Barbour and Henry counties.

February 15, read first, referred education. February 16, reported favorably, read second, calendar. February 18, read third, passed, signed.

By Mr. Prowell—

H. 1109. To repeal an act entitled an act to prohibit the sale, giving away or otherwise disposing of spirituous, vinous, or malt liquors in Magnolia, Horse Creek and Hill's precincts in Marengo county, approved February 17, 1885, so far as the same relates to Magnolia precinct in said county.

February 8, read first, referred temperance.

By Mr. Flewellen (by request)—

H. 1110. To prevent the officers of incorporated banks from borrowing the money of the banks of which they are officers.

February 13, read first, referred judiciary.

By Mr. Davis—

H. 1111. To provide for the registration and lien of judgments for the payment of money in the courts of justice of the peace in Marion county, Alabama.

February 12, read first, referred judiciary. February 13, read second, calendar. February 15, read third, passed. February 15, signed.

By Mr. Nesmith—

H. 1113. To fix the fees of the circuit clerk in the county of Lamar, in criminal cases.

February 9, read first, referred judiciary. February 11, reported favorably, read second, calendar. February 15, read third, passed. February 16, signed.

By Mr. Brandon—

H. 1114. To regulate the volunteer military forces of of the State of Alabama.

February 13, read first, referred military. February 15, reported favorably, read second, calendar. February 16, read third, passed. February 18, recalled, re-considered, amended, read third, passed. February 18, house concurs, signed.

By Mr. Turner—

H. 1116. To dispose of the lands known as the swamp and overflowed lands and the indemnity swamp lands, patented to the State of Alabama pursuant to acts of the United States Congress.

February 15, read first, referred finance and taxation.

By Mr. Altman—

H. 1119. To ratify and amend the incorporation of "Steiner Brothers," a corporation organized to do a banking business under the general laws of the State of Alabama, so as to confirm in said corporation all the rights, powers and privileges given by law to such corporations, and also to confer additional powers upon said corporation.

February 13, read first, referred finance and taxation. February 15, reported favorably with amendment, read second, calendar. February 16, amendment adopted, read third, tabled, re-considered, read third, passed, house concurs. February 18, signed.

By Mr. Rogers—

H. 1123. To amend sections 1 and 6 of an act entitled an act to incorporate the town of Fort Deposit, in the county of Lowndes, approved February 13th, 1891.

February 6, read first, referred corporations. February 10, read second, calendar.

February 12, read third, passed. February 15, signed.

By Mr. Smith of Dallas—

H. 1125. To create the office of county treasurer of Dallas county.

February 5, read first, referred privilege and election. February 6, reported favorably, read second, calendar.

By Mr. Waller of Hale—

H. 1126. To amend section 3685 of the Code of Alabama, only as to Hale, Greene, Tuscaloosa, Pickens, Fayette, Barbour, Conecuh, Bibb, Jefferson, Dallas, Montgomery, Clarke, Washington, Lee, Bullock, Talladega, Wilcox, Lauderdale, Macon, Calhoun, Mobile, Autauga, Cherokee and Marion counties.

February 8, read first, referred judiciary. February 11, reported favorably, read second, calendar.

By Mr. Dreyspring—

H. 1127. To regulate the disqualifications of electors and voters in any general or special election.

February 15, read first, referred privilege and election.

By Mr. Burns—

H. 1130. To prevent stock from running at large in Dallas county.

February 10, read first, referred judiciary. February 12, read second, calendar.

By Mr. Waller of Hale—

H. 1134. To incorporate the town of Newberne, Hale county, Alabama.

February 9, read first, referred municipal and county organizations. February 11, reported favorably, read second, calendar. February 13, read third, passed. February 15, signed.

By Mr. Poole—

H. 1144. To exclude and take from the George N. Gilmer school district of Lowndes county sections 15, 16, 17 and 18 of Township 12, range 13.

February 12, read first, referred education. February 13, read second calendar. February 16, read third, passed. February 18, signed.

By Mr. Mitchell—

H. 1147. To authorize the mayor and aldermen of the city of Florence, Alabama, to appoint a board of public works for said city, and to define the powers and duties of such board.

February 8, read first, referred corporations. February 11, reported favorably, read second, calendar. February 15, read third, passed. February 16, signed.

By Mr. Altman—

H. 1150. To authorize the commissioners court of Jefferson county to redistrict the county of Jefferson.

February 15, read first, referred, judiciary. February 16, reported favorably, read second, calendar. February 18, read third, passed, signed.

H. 1151. To authorize the board of mayor and aldermen of Birmingham to license, regulate, restrain or prohibit the erection of fruit and confectionery stands on or above the sidewalks of said city.

February 13, read first, referred penitentiary. February 15, reported favorably, read second, calendar. February 16, read third, passed. February 18, signed.

By Mr. Knowles—

H. 1152. To require railroad companies to establish depots in towns of more than one thousand inhabitants.

February 9, read first, referred to commerce and common carriers. February 10, read second, calendar. February 13, read third, passed.. February 15, signed.

By Mr. Heflin—

H. 1153. To establish a separate school district in Chambers county, in this State.

February 15, read first, referred education. February 16, reported favorably, read second, calendar. February 18, read third, passed, signed.

By Mr. Clements—

H. 1155. To amend section 3 of an act entitled an act to authorize the commissioners court of Tuscaloosa county to establish districts in which stock may be prevented from running at large so as to require a majority of the land owner or free holders of the entire beat in which the proposed district is situated, instead of the majority of those of the proposed district alone.

February 9, read first, referred local legislation. February 10, read second, calendar. February 13, read third, passed. February 15, signed.

By Mr. Lavender—

H. 1156. To provide for the better working of the public roads of beats one, nine, ten and eleven, Bibb county.

February 13, read first, referred, local legislation. February 15, reported favorably, read second, calendar. February 16, read third, passed. February 18, signed.

By Mr. Heflin—

H. 1157. To establish a separate school district in Chambers county, in this State.

February 15, read first, referred education.

February 16, read second, calendar. February 18, read third, passed, signed.

By Mr. Cofer—

H. 1159. To regulate the examination of the allowances and expenditures of the commissioners court or board of revenue of Cullman county.

February 13, read first, referred judiciary.

By Mr. Browne of Talladega—

H. 1166. To establish a new charter for the city of Calera, approved February 21, 1893.

February 13, read first, referred municipal and county orSanization. February 16, reported favorably, read second, calendar. February 18, amendment read third, passed. February 18, house concurs, signed.

By Mr. Clements—

H. 1171. To provide an additional appropriation for the University of Alabama.

February 11, read first, referred finance and taxation. February 12, read second, calendar.

By Mr. Kennamar—

H. 1172. For the improvement of roads ond bridges in Marshall county, Alabama.

February 13, read first, referred local legislation. February 15, reported favorably, read second, calendar. February 16, read third, passed. February 18, signed.

By Mr. Browne of Talladega—

H. 1174. To make additional appropriation to pay the expenses of the general assembly of Alabama for the session of 1896–97.

February 10, read first, referred finance and taxation. February 12, read second, calendar. February 18, read third, passed, signed.

By Mr. Longshore—

H. 1176. To authorize the holding of an election in beat number 10 of Shelby county, to determine whether or not stock shall run at large in said beat.

February 13, read first, referred local legislation. February 15, reported favorably, read second, calendar. February 16, read third, passed.

By Mr. Glover—

H. 1177. To amend an act entitled an act for the preservation of game, animals and birds in the county of Greene, approved 28, 1889.

February 15, read first, referred local legislation. February, 16, reported favorably read second, calendar. February 18, read third, passed. February 18, signed.

By Mr. Wood of Macon —

H. 1178. To amend section 1 of an act to amend section 1 of an act to prevent in certain cases the sale exchanger and transportation of cotton in the counties of Montgomery, Bullock, Dallas, Russell, Lowndes, Wilcox, Sumpter, Autauga, and in beats one, two, three, four, five, six, seven, eight, nine and twelve of Hale, and in sections 29, 30, 31 and 32, township 24, range 5, east in beat 18, and all that part of beat number 18, lying south of the Black Worrior river, in township 24, range 4 east in Tuskaloosa county, and of cotton produced in said counties, approved March 1, 1881.

February 15, read first, referred judiciary. February 16, reported favorably, read second, calendar. February 18, read third, passed, signed.

By Mr. Shelden—

H. 1181. To pay for articles purchased for the use of

the senate and house of representatives and for repairing the senate chamber and hall of the house of representatives, and for repairing and furnishing the rooms of the engrossing and enrolling clerks of the house of represensative.

February 10, read first, referred finance and taxation. February 12, read second, calendar. February 15, reed third, passed. February 16, signed.

By Mr. Wood of Henry—

H. 1183. To amend sub-division 19 of section 137 of the code.

February 13, read first, referred agriculture. February 16, reported favorably, read second, calendar.

By Mr. Coleman—

H. 1185. To prohibit the sale, giving away or otherwise disposing of spirituous, vinous or malt liquors or other intoxicating bitters or beverages, within six miles of Dothan high school except in Dothan and other incorporated towns; and within five miles of the court house in Edwardsville, Cleburne county; and within one mile of the Baptist church in the town of Victoria in Coffee county, and within three miles of Pleasant Hill Methodist church in Coosa county; and within three miles of Baileytown, Cullman county; and within three miles of Indian Creek Baptist church, in precinct number 5, in Bullock county; and within the corporate limits of the town of Abbeville, Henry county; and within Frankfort Beat number 3, in Franklin county; and within three miles of Hill's Chapel and Silone church, situated in Hill's Beat, Franklin county; and in that part of Tuskaloosa county which lies outside of incorporated cities and towns; and within three

miles of Bethany M. E. church South in beat 12, Coosa county; and within precinct number eight, including the incorporations of the towns of Fitzpatrick and Thompson, in Bullock county.

February 11, read first, referred temperance. February 12, read second, calendar. February 13, reconsidered, amended, read third, passed. February 13, house concurs. temperance. February 15, recommitted February 15, amendment adopted, read third, passed. February 15, house concurs. February 15, signed.

By Mr. Longshore (by request)—

H. 1186. To prohibit the sale or other disposition of alcoholic, spirituous, vinous or malt liquors, or intoxicating bitters or beverages, within ten miles of the Alabama Industrial school building, at Montevallo, in Shelby county, Alabama.

February 22, read first, referred privileges and elections. February 16, reported favorably, read second, calendar. February 18, read third, passed. February 18, signed.

By Mr. Heflin (by request)—

H. 1190. To authorize the court of county commissioners of Chambers county, Alabama, to issue and sell bonds of said county to an amount not exceeding $25,000, for the purpose of building a new court house for said county.

February 13, read first, referred to local legistation. February 16, reported favorably, read second, calendar. February 18, read third; signed.

By Mr. Waller of Montgomery—

H. 1201. To incorporate the Montgomery-Elmore Bridge and Improvement Company.

February 12, read first, referred corpora-

tion. February 13, read second, calendar. February 15, read third, passed. February 16, signed.

By Mr. Hunt—

H. 1203. To authorize the court of county commissioners of Madison county to regulate the weight and tonnage of loaded and empty wagons and other vehicles passing over the public roads of said county.

February 12 read first, referred municipal and county organizations. February 13, read second, calendar. February 15, read third, passed. February 15, signed.

By Mr. Franklin—

H. 1204. To amend an act entitled "an act to amend an act entitled an act to incorporate the city of Fort Payne, DeKalb county, Alabama" approved February 3, 1891, and to fix the duties, fees and salaries of the officers of said city of Fort Payne.

February 12, read first, referred, corporation. February 13, read second, calendar. February 18, amended, read third, passed.

By Mr. Gast—

H. 1205. To releive Mrs. Ida Harris of Franklin county, of the disabilities of non-age.

February 13, read first referred to judiciary.

By Mr. Lloyd—

H. 1209. To declare the school house at Mt. Mariah to be on the line between the counties of Butler and Wilcox, and to authorize the trustees of township 11 range 11 of Wilcox county and township 11 range 12 of Butler county, to locate a school at Mt. Mariah and contract with and employ teachers.

February 12, read first, referred to education February 13, without recommendation

read second, calendar. February 15, recommended to education.

By Mr. Brown of Colbert—

H. 1211. To regulate the working and keeping in good repair the public roads in Colbert county, and to create the office of public roads supervisor for said county and prescribe his duties and powers.

February 13, read first, referred to local legislation. February 16, reported favorably, read second, calendar. February 18, read third, passed; signed.

By Mr. McCollum—

H. 1218. To provide for and to regulate the fees and and attendance of witnesses in criminal proceedings in the counties of Greene, Pickens, and Fayette and to provide for the registration and endorsement of certificates issued to witnesses in said counties so as to make the same a claim against the fine and forfeiture funds of said counties.

February 13, read first, referred judiciary.

By Mr. Kyle—

H. 1224. To authorize the commissioners court of Morgan county to employ a court stenographer for the circuit court of said county, fix the compensation of said stenographer and to prescribe his duties.

February 13, read first, referred judiciary. February 15, reported favorably, read second, calendar. February 16, read third, passed. February 18, signed.

By Mr. Burns—

H. 1227. To require all persons elected or appointed to office or official positions to obtain a commission.

February 15, read first, referred judiciary.

By Mr. Wood of Macon—

H. 1229. To repeal an act entitled an act to prohibit the sale of spirituous, vinous or malt tiquors, known as the general or omnibus bill, approved February 28, 1887, so far the same applies to Society Hill beat in Macon county.

February 15, read first, referred, temperance.

ALPHABETICAL LIST

OF THE

MEMBERS OF THE SENATE OF ALABAMA,

Together with the Number of Bill introduced by each Senator.

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Simplicity and method are essential. Opposed to these is redundency, whether of "headings" sub-headings, or of words, merely.

The key to the following will be found in the effort to emphasize and maintain the distinction between "general and "local" bills. Hence very much of the matter in hand is placed under COUNTY headings. The cities and most of the larger towns logically appear as part of their respective counties, yet retaining the advantage of separate alphabetical order.

If need be, note the headings, "Miscellaneous" and "Individuals relating thereto," which contain much to relieve from superfluity without, in any wise, detracting from completeness. The few other changes made have been made in the direction intimated.

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